THE

HISTORY OF GREAT BRITAIN

DURING THE REIGN OF

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WITH

A DISSERTATION concerning the DANGER of the PROTESTANT SUCCESSION;

And an APPENDIX, containing ORIGINAL PAPERS.

BY

THOMAS SOMERVILLE, D.D. F.R.S.E.

ONE OF HIS MAJESTY'S CHAPLAINS IN ORDINARY,

AND MINISTER AT JEDBURGH.

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1798.


G.R. III.

TO THE

KING.

(BY PERMISSION.)

SIR,

THE Hiſtory of the Reign of QUEEN ANNE exhibits illuſtrious examples of the ſpirit and ſtrength of Great Britain, in controlling the exorbitant power and ambition of France.

The importance of this ſubject, and the labour which I have beſtowed to render it intereſting and uſeful, are the grounds of my aſpiring to the diſtinguiſhed honour of inſcribing the following Work to Your Majeſty.

The record of paſt exertions, crowned with ſucceſs, invigorates the public mind in the ſeaſon of impending danger.

From the inherent vigour of the Britiſh Conſtitution, and the increaſe of national reſources, conjoined with Your Majeſty's perſonal virtues and firm adminiſtration, your loyal ſubjects are encouraged to hope for the ſucceſsful iſſue of the arduous conteſt in which they are now engaged, in defence of their moſt valuable and ſacred rights.

That Your Majeſty's counſels and arms may be favoured by the Supreme Ruler of Events, and made effectual to ſecure the independence and happineſs of the Britiſh Empire, is the fervent prayer of,

SIR,

Your MAJESTY's moſt loyal Subject, and

moſt obedient humble Servant,

THE AUTHOR.

JEDBURGH,
Sept. 26, 1798.

THE

PREFACE.

THE Reign of QUEEN ANNE comprehends a greater variety of intereſting events than any period of the Britiſh hiſtory of equal duration. Though many volumes upon this ſubject are already in the hands of the Public, there is ſtill opportunity for reſuming it with the proſpect of promoting uſeful inſtruction.

The accounts of this reign, written by contemporary authors, are often rendered tedious and unpleaſant from the intruſion of occurrences, which are frivolous and unintereſting in our own day. The frequent and abrupt tranſitions from one ſubject to another, occaſioned by a ſtrict adherence to chronological arrangement, deſtroy that unity and connexion, which are eſſential to the clearneſs and dignity of genuine hiſtory. But what, above all, renders the earlier hiſtories of this reign exceptionable, is their being tinged with the party ſpirit, which then aroſe to the higheſt pitch of intemperance and malignity. Nor are later authors entirely free from theſe objections; ſome have ſervilely followed the track of their predeceſſors; and none perhaps have obtained ſufficient information for correcting their miſtakes, and ſupplying their defects.

After the moſt careful peruſal of all the printed materials relating to my ſubject, and a large ſtore of original papers which have not been ſeen by former writers, I have attempted to preſent to the Public an exact, impartial, and connected detail of the moſt important events and tranſactions during the Reign of Queen Anne.

A ſhort deſcription of the manuſcripts, which I have conſulted, cannot fail to impreſs the reader with a high idea of their value, while it affords me a pleaſing opportunity of expreſſing my warmeſt gratitude to the perſons, who have honoured me with their patronage.

To her Grace the Ducheſs of Buccleugh, I am indebted for the uſe of many volumes of original Manuſcripts collected by the Duke of Shrewſbury, containing ſeveral ſtate-papers, and ſome hundred letters, moſtly political, and written by perſons, who were conſpicuous actors in public life, during the reigns of King Charles II. King James II. King William, and Queen Anne.

The Earl of Hardwicke, upon my deſign being communicated to him, with a frankneſs which enhances every favour, tranſmitted to me copies of Letters from the Earl of Godolphin, Mr. Harley, Lord Halifax, and the Duke of Marlborough, which made a part of the Collection of the late Earl of Hardwicke, who was himſelf diſtinguiſhed as an example and patron of literary reſearch. The Letters of the Earl of Godolphin and Mr. Harley give an inſight into the diſputes of the cabinet, which produced the changes in adminiſtration at the end of the year 1707; thoſe from Lord Halifax refer to his embaſſy to the court of Hanover in 1706, and the project of the barrier treaty; the Duke of Marlborough's, dated 1711, to the ſtate of the war, and the defence of his own conduct.

The Townſhend, Orford, and Walpole Papers, have furniſhed me with a variety of authentic documents concerning important tranſactions, both in England and on the continent.

The Townſhend Papers contain almoſt the whole correſpondence, between the Britiſh cabinet and the plenipotentiaries, relative to the negotiations at the Hague 1709, and at Gertruedenberg 1710; and to the ſcheme and progreſs of the barrier treaty. They contain alſo a part of the correſpondence between Mr. St. John, Lord Townſhend,

Townſhend, Mr. Boyle, and Lord Dartmouth, upon the ſubject of the armed neutrality, and the conduct of the allies during the war; and, occaſionally, illuſtrate coincident political tranſactions.

The Orford and Walpole Collection conſiſts of extracts from the journals of the reſidents at foreign courts, and ſeveral of their letters, diſcloſing circumſtances reſpecting the ſtate of the confederacy, and the temper and intereſts of its members, which have not hitherto been known or attended to. The letters of Generals Stanhope, Carpenter, and Wade, and extracts from their journals in Spain, alſo included in this collection, throw great light upon military affairs in that quarter.

For the communication of the extracts and letters from the Orford and Walpole Papers, I am entirely indebted to the kindneſs of the Reverend William Coxe, whoſe literary merits have long ſtood high in the public eſteem. Having heard accidentally of my being engaged in writing the Hiſtory of the Reign of Queen Anne, from a partiality extremely flattering to me as an author, in which character alone I was known to him, he voluntarily offered me every aſſiſtance in his power to forward my undertaking; and, with the conſent of the noble proprietors, ſent me the above-mentioned papers, which he had collected among the materials for his Memoirs of Sir Robert Walpole. He has alſo favoured me with copies of a few letters from the Earl of Peterborough, written from Vienna and Venice in 1711; and anecdotes and miſcellaneous papers, which have been uſeful in the proſecution of my deſign. Superior to that mean, engroſſing ſpirit, which often debaſes perſons who are ambitious of literary fame, my liberal friend, in the courſe of a long correſpondence, has imparted to me every information conducive to the improvement of my work, with as much zeal and anxiety as if his own reputation and intereſt had been involved in my ſucceſs.

To the late Sir John Clerk of Pennycuick, I owe great obligations for acceſs to the Manuſcripts compoſed by his grandfather, Sir John Clerk.

Clerk. Sir John was a member of the Scottiſh parliament at the time of the union; and devoted himſelf, with aſſiduous application, to the ſtudy of the momentous queſtions then in agitation. To the accompliſhments of a ſcholar and antiquary, he added an accurate knowledge of the hiſtory and conſtitution of Scotland. He was highly eſteemed and much conſulted by the Duke of Queenſbury, her majeſty's commiſſioner in the Scottiſh parliament; and publiſhed ſome excellent treatiſes for explaining the ſcheme of the union, and refuting the objections of its ignorant and factious oppoſers. Beſides theſe publications, Sir John left ſeveral valuable manuſcripts. Thoſe which I have inſpected, as particularly ſuitable to my purpoſe, are ſhort journals of the proceedings of the Scottiſh parliament while the union was depending; obſervations on Lockhart's Memoirs; and a teſtamentary memorial for the inſtruction of his own family, giving a conciſe and perſpicuous account of the treaty; and, after the experience of more than thirty years, comparing its effects with the preſages and expectations, both of its abettors and oppoſers, at the time of its formation. From theſe materials, fraught with private anecdotes, and marked deſcriptions of the conduct of parties, and the characters and intrigues of their leaders, I am able to treat of Scottiſh affairs with greater preciſion and certainty than former hiſtorians, who, for want of better ſources of information, have implicitly relied upon annals and memoirs, of which the authors are unknown.

To obtain the pureſt information concerning parliamentary proceedings in Scotland, I have had recourſe to the original records in the Regiſter Office at Edinburgh; and for an account of miniſterial tranſactions there, to the minutes of the Scottiſh privy council, depoſited in the office of the juſticiary court. With reſpect to important ſtate affairs of both kingdoms, I have been furniſhed with copies of the original vouchers from the Paper Office in London.

It was my firſt intention to have ſelected, from the maſs of papers which have been put into my hands, ſuch as appeared more inſtructive and entertaining, and to have publiſhed them in a ſeparate volume, under the following arrangement; namely, the firſt part to have contained papers relative to the period of which I formerly treated, in the Hiſtory of Political Tranſactions and of Parties during the Reign of King William; the ſecond, to have contained vouchers, of a more intereſting nature, tending to illuſtrate the facts and events recited in the following work; and the third, Letters both on political and miſcellaneous ſubjects, written by perſons who made a diſtinguiſhed figure in the three reigns preceding that of Queen Anne. From the times being ſo unfavourable to literary productions, I am under the neceſſity, after much fruitleſs labour, to relinquiſh this plan, and to confine myſelf to the publication of a few original papers, of the ſecond deſcription, in the Appendix at the end of this volume. Some of theſe papers are connected ſlightly, and by periodical coincidence alone, with the part of the work in which I have referred to them, but are deſerving of attention on account of the light which they throw on the general hiſtory, and the characters of perſons of eminent rank and abilities.

In the following volume, I have entered into the diſcuſſion of Iriſh affairs chiefly as they are aſſociated with the political hiſtory of Great Britain. The late Lord Mountmorres, whoſe favourable opinion and kind diſpoſitions towards me laid me under the deepeſt obligations of gratitude, offered his joint reſearches, to render the Iriſh hiſtory more various and complete. As my manuſcript was ready for publication when he made me this offer, and the communications, which he did me the honour to tranſmit, related to the hiſtory of Ireland, prior to the reign of Queen Anne, I was precluded from the advantages which, in other circumſtances, I might have derived from his Lordſhip's correſpondence.

Military

Military events form ſo large and ſplendid a part of the Engliſh hiſtory at the beginning of this century, that I have found it difficult to reſtrain my accounts of them within the limits conſiſtent with the plan of a general hiſtory.

I have ſtated, at the beginning of each campaign, the principal circumſtances, affecting the grand alliance and the force of the belligerent powers. I have ſhortly mentioned their operations in every quarter, and thoſe of the Britiſh army more fully; and endeavoured to give ſuch a deſcription of the principal occurrences of the war in each ſucceſſive campaign, as will enable the reader to eſtimate the balance of ſucceſs at the cloſe of it. From the limitations and reſtrictions, obſerved in conducting this branch of my hiſtory, the intermediate movements and manœuvres of the contending armies are often neceſſarily omitted; and great events, which are divided by a wide interval of time and place, follow in immediate ſucceſſion in the narrative. This imperfection, the reader will therefore impute, not to ignorance or careleſſneſs, but to a ſtudied compreſſion, in order to adjuſt, in due proportion, the details of the complicated and diverſified facts, which belong to the period of which I treat.

Senſible of the diſadvantages under which I labour, in proſecuting a branch of hiſtory foreign to my line of ſtudy and habits, I ſhould have been more fearful about its reception with the Public, had it not been ſubmitted to the inſpection of ſome of my friends of eminent military as well as literary talents, who have expreſſed their favourable opinion of its execution; and ſuggeſted amendments and additions, which have eſſentially contributed to the accuracy and improvement of this part of my work.

To approach as near as poſſible to that impartiality which is the prime excellence of hiſtory, I have employed every expedient for enabling me to eſtimate the characters of the ſeveral authors whom I have cited as vouchers of my facts. I have traced the connexions, patrons, private characters, and party bias of ſuch as have written the

the hiſtory of their own times: I have attentively collected in my common-place book all the circumſtances, tending to ſuggeſt ſuſpicion concerning the teſtimony of contemporary authors, either in general or in particular inſtances; and I am not conſcious of having admitted any fact relative to party affairs, upon the word of a party writer, without collateral evidence. I have embraced every opportunity to obtain intelligence from perſons, whoſe local reſidence afforded them the beſt opportunity of information, concerning the credit of foreign hiſtorians who have treated of continental tranſactions during the reign of Lewis XIV.

From the limited nature of this work, I have often found it neceſſary to ſtate an opinion, ſimply, concerning contraverted points, without giving the arguments upon which that opinion is founded; but, in this caſe, I have marked the ſeveral authors by whom they are recorded, that the inquiſitive ſtudent in hiſtory may compare them, and reject, or approve, according to his own judgment. This is a part of the labour of the hiſtorian little obvious to the public eye; I truſt, however, that the attentive reader, in the courſe of peruſing the following hiſtory, will find ſufficient ground for believing, that it has not been haſtily, or ſuperficially compoſed. Some may perhaps think that my induſtry has been ſuperfluouſly minute, upon being informed, that the books and pamphlets, which I have read for the purpoſe of obtaining complete information on my ſubject, amount to triple the number cited in this work. I have been fortunate enough, from the acceſs I have had, not only to the public libraries and repoſitories, but to ſome of the beſt furniſhed private libraries, to find, with a very few exceptions, all the pamphlets and periodical publications relative to the conteſts of parties, and to affairs of ſtate, during the reign of Queen Anne. This is a ſource of information by no means to be ſlighted. Periodical publications mark the genius and ſpirit of the times; they deſcend to private anecdotes which eſcape the notice of general hiſtory, and ſometimes make the

reader acquainted with minute incidents, which materially affected the ſtate of public affairs.

Having diſcovered ſeveral inaccuracies, and met with frequent diſappointments, upon tracing the authorities, cited by the hiſtories which I have peruſed, I have thought it my duty to ſpecify the volume, page, and, in the firſt citation, the edition of the books to which I refer my readers.

After the faireſt pretenſions to care and induſtry, I muſt ſtill rely upon the indulgence of the Public, to make allowance for inaccuracies and miſtakes, unavoidable in a work of ſuch compaſs and difficulty.

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ERRATA.

Page 28. line 7. *after* who *and after* granted *add a comma*
36. — 19. *after* winter *read* and
41. — 10. *note, after* Pracontal *put a comma*
62. — 13. *for* right *read* left
73. — 14. *for* run *read* ran
90. — *penult. note, after* them *read* from
170. — 14. *for* ſpeaker *read* ſpeakers
173. — *ult. note, after* X. *add* XI.
192. — 2. *for* month sceſs *read* months ceſs
194. — 4. *note, for* reformation *read* reſtoration
230. — *note, for Appendix read* Appendix
258. — *ult. note, for* Shrewſberry *read* Shrewſbury. MSS.
267. — 7. *note, for* ords *read* lords
270. — 12. *for* run *read* ran
273. — 8. *col.* 2. *note, after* his *add* concern for
302. — 5. *for* ſimliar *read* ſimilar
323. — 2. *note, delete* Walpole Papers.
342. — *note, after* XXV. *add* XXVI.
360. — 7. *delete all that follows after* 1709–10.
388. — 6. *col.* 2. *note, for* Catolonia *read* Catalonia
397. — 8. *for* numbers *read* number
427. — 1. *note, for* being *read* been
441. — *ult. note, after* XXXI. *add* XXXII.
462. — *ult. note, after* 43. *add Appendix*, N° XXXIII. XXXIV.
472. — 9. *note, for* diſtions *read* diſtinctions
490. — 13. *after* arms *add* for four months
496. — *ult. note, for Appendix*, N° XXXIII. *read* XXXV.
533. — *ult. reference* [17] *in line* 18 *to be placed after* motives
552. — *col.* 2. *note, for Appendix*, N° XXXIV. *read* XXXVI.
575. — 22. *for* ha *read* had
628. — 1. *after* Harley *add* to Lord Godolphin

THE

HISTORY

OF

GREAT BRITAIN

DURING

THE REIGN OF QUEEN ANNE.

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THE ſucceſſion of the princeſs Anne, agreeably to the act of ſettlement, not only took place without any oppoſition, but gave general ſatisfaction to the nation[1]. The reſerved manners of

CHAP. I.

1702. 8th March.

[1] Queen Anne was born on the 6th February 1665, married to prince George of Denmark 28th July 1683, and aſcended the throne 8th March 1702.

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king William, and his natural predilection for a foreign country, had relaxed the attachment of his British subjects, and impaired that respect which was justly due to his illustrious character and merits. The love of novelty, the royal descent, and private virtues of the new sovereign, revived a spirit of loyalty, and warmed the affections of the people.

The accession of the queen was considered as unpropitious to the interest of the Whigs, and to the prosecution of those designs of the confederacy, which had been approved of by her predecessor. She had imbibed an early partiality for the Tories, under the tuition of Compton, the bishop of London, which had been confirmed by their adherence to her interest, and their successful efforts in procuring for her, while heir apparent to the crown, an independent revenue, contrary to the inclinations of the king and her sister. Anxious for upholding the royal authority, she looked with an eye of jealousy upon that party, which she had been taught to suspect of having formed a systematic plan to enervate its force, and limit its prerogatives [a].

The vigorous concurrence of the court of England was necessary to ensure the stability of the grand alliance, and to render it effectual for the purposes of its formation. But as a passion for military glory ill accorded with the feelings of a female sovereign, it was not to be expected that she could enter heartily into that system of continental measures, which had been so interesting to the late king, from the influence of local prejudice and motives of personal aggrandizement. Although the resources of England should now be employed agreeably to his destination, it seemed impossible to supply those singular advantages, which resulted from his experience, his personal courage and activity, and his ardent zeal in the execution of every plan tending to curb the ambition of the French king.

The official arrangements, now made by the queen, justified the apprehensions of the Whigs; the principal places, civil and military,

[a] Conduct of the duchess of Marlborough, passim, Lond. 1742. Memorial of the State of England, Somers, xii. p. 139.

were conferred upon their antagoniſts[3]. Lords Somers and Halifax, who had been diſtinguiſhed by the confidence of king William, were diſmiſſed from the privy council; and it was ſuſpected, that, in the progreſs of change, all the perſons, who had been patroniſed by the Whig adminiſtration, would be deprived of every favour dependent on the court. Under their preſent depreſſion, the Whigs were not without a gleam of hope, while the allies were completely relieved from their anxiety, by the reſolution of the court to adhere to the engagements of the late king, and to proſecute the war with vigour againſt the united power of France and Spain. In her declarations to the privy council and to the parliament, the queen expreſſed her full conviction of the neceſſity of making military preparations, and giving the moſt effectual aid to Holland and the emperor, for reſiſting the uſurpations of the French king.

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8th and 11th March.

There were certainly many ſtrong arguments for reſtraining that precipitancy of determination with which England ruſhed into the war; and which ought to have ſuggeſted ſuch reſerve and precautions, as might, without violating the honour of king William, have prevented the extravagance with which it was carried on, and perhaps have brought it to a more ſpeedy concluſion. But the general deſire of the nation, the ſtate of parties, and the private influence of a family, which the ſovereign, at this time, was incapable of reſiſting, not only diverted her attention from pacific counſels, but induced the adminiſtration to prepare for hoſtilities with an ardour,

[3] The prince of Denmark was appointed generaliſſimo of all her majeſty's forces by ſea and land; the privy ſeal was given to the marquis of Normanby; the chancellorſhip of the duchy of Lancaſter, to ſir John Leviſon Gower; the earl of Nottingham and ſir Charles Hedges were appointed ſecretaries of ſtate; the duke of Devonſhire, lord ſteward; the earl of Jerſey, lord chamberlain; the earl of Bradford, treaſurer; Peregrine Bertie, vice-chamberlain; ſir Edward Seymour, comptroller to the houſehold; and lord Godolphin, lord treaſurer; Mr. How, who had diſcovered the keeneſt perſonal oppoſition to the late king, was taken into the privy council, and made paymaſter of the guards and garriſons. The appointment of ſir George Rooke to be admiral of the fleet, vice-admiral of England, and a privy-counſellor, excited the jealouſy of the Whigs, as he had always ſhown a diſlike to their principles, and diſcouraged them in the fleet. The comptroller's ſtaff was taken from the earl of Wharton, and given to ſir Edward Seymour. London Gazettes, April, May, June.

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out of all proportion to any provocations received, and with exaggerated expectations of the benefits likely to ariſe from a ſucceſsful war.

An alarm for the Proteſtant religion, together with a national antipathy to France, rendered the Engliſh, in general, impatient for controlling the extenſion of her power over the monarchy of Spain; and the merchants and manufacturers were no leſs cordial in approving of the reſolutions of the court, from a jealouſy of loſing one of the moſt lucrative branches of their commerce, ſhould that kingdom fall under the dominion of the houſe of Bourbon[4].

To the Tories, who had ſo lately condemned the partition treaty, no alternative remained, but ſupporting the war, or forfeiting every claim to conſiſtency and honour, as well as to that popular favour, without which, their power, derived from the patronage of the ſovereign, muſt have been fettered and precarious. The earl of Rocheſter ſtrenuouſly oppoſed the reſolution taken by the privy council for committing England as a principal in the continental war; but being ſupported by few of his friends in this opinion, it only proved the occaſion of dividing them, and gradually paved the way for the returning credit and influence of the Whigs[5].

The concurrence of ſo many intereſts, in favour of the war, overruled a diſpoſition naturally mild and peaceable, and rendered her majeſty favourable to that ſyſtem of policy, which was bequeathed by a predeceſſor, to whoſe ſentiments ſhe was, in other points, but

[4] Caveat to the Treaters, p. 63. Lond. 1711.

[5] The other Side of the Queſtion, p. 171. Lond. 1742. The earl of Rocheſter ſupported his oppoſition to the opinion of the privy council by the following arguments, that England and the States had already acknowledged the duke of Anjou as king of Spain; that, if England were compelled to take a part in the war, her proportional aſſiſtance ought to be extremely moderate, in conformity to the degree of danger or advantage which ſhe was likely to incur from the duke of Anjou's continuing on the throne of Spain; that ſending ten thouſand men to the continent, agreeably to the treaty ſubſiſting between England and the States, was a full equivalent for her ſhare of the quarrel; that it would even be adviſable to furniſh her contingent for the land ſervice entirely in money; but, above all, he recommended the exerting the utmoſt efforts by ſea, which would contribute, immediately and eſſentially, to the diſtreſs of the enemy, and to the permanent extenſion of the commerce and power of Britain.

little

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little partial. It can hardly be ſuppoſed, that the queen was ever cordially reconciled to the idea of excluding her own family from the throne; but ſhe trembled at the apprehenſion of her own premature and violent degradation, which was aſſociated with her brother's ſucceſs under the auſpices of the French king. Nor, in judging of her conduct, would it be fair to exclude the influence of more honourable and conſcientious motives. To the proteſtant intereſt ſhe was fervently devoted, and if ſhe ever indulged any wiſh for devolving the ſucceſſion upon her natural heir, ſhe certainly meant to accompliſh it under ſuch reſtrictions as ſhe deemed ample ſecurities for her favourite religion [6]. But to obtain them, it was neceſſary that her brother ſhould renounce the counſels, and be ſeparated from the alliance of a prince, whoſe intrigues were no leſs formidable to the religion, than to the independence of England.

But of all the cauſes which conſpired to attach the queen to the confederacy, none had a more powerful ſway, than the advice of lord and lady Churchill, who maintained an unrivalled aſcendancy over her affections and conduct. In all the domeſtic quarrels in which the royal family had been embroiled during the preceding reign, lord Churchill warmly eſpouſed the intereſt of the princeſs; and ſacrificed immediate preferment to the proſpect of ample compenſation from her future patronage. He was now about to enter upon the harveſt of his hopes, when the juncture of events extended them beyond the utmoſt ſtretch of his early ſpeculations. While the approach of a continental war multiplied the channels of royal munificence, his inſinuating addreſs, his capacity for negotiation, his matchleſs talents as a general, enſured a pre-eminence, to which he never could have aſcended during a period of public tranquillity. Although lord Churchill began his political career as a partiſan of the Tories, yet the incidents of fortune, and a ſympathy

[6] King James was not more zealous for the propagation of the Roman faith, than his daughters were for the protection and ſafety of the proteſtant intereſt.

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in diſappointments, had often during the late reign induced him to concur with the meaſures of the Whigs, and to avail himſelf of their protection. At the acceſſion of the queen, he ſtood on that ambiguous ground, which encouraged both the contending parties to entertain hopes of appropriating, to themſelves, the decided advantage ariſing from his influence with the court. While his firſt connections, and the prejudices of the ſovereign avowed by her preferring the Tories in the new arrangements, inſpired them with the aſſured confidence of engroſſing the patronage of her favourite, the alliances which he had contracted with ſome of the principal families of the Whigs, the declared attachment of his lady to their principles, and above all, the complexion of political meaſures, removed the dread of their being doomed to a complete and laſting proſcription [7].

10th, 13th, 14th March.

To confirm her good intentions towards the allies, the queen wrote a letter to the States; and the earl of Marlborough, now appointed captain general and honoured with the garter, was ſent as her embaſſador extraordinary and plenipotentiary to the Hague, to give her majeſty's ſanction to the alliance concluded by king William, and to concert meaſures for opening the campaign. The import of the earl's inſtructions, and the addreſs and prudence with which he diſcharged his commiſſion, re-animated the drooping ſpirits of that party in Holland which had always abetted the ſchemes of king William, and ſeaſonably counteracted the inſidious artifices now employed by Barrè, the French reſident at the Hague, for diſtracting their counſels and alienating them from the friendſhip of England. A convention was held at the Hague on the 31ſt March

[7] Conduct of the ducheſs of Marlborough, p. 127. Cunningham, vol. i. p. 328. Lond. 1787. The earl of Marlborough's eldeſt daughter was married to the earl of Godolphin's eldeſt ſon; another was afterwards married to the earl of Sunderland; a third, to the earl of Bridgewater; and the youngeſt, to the marquis of Monthermer, who became duke of Montague. From theſe marriages, which ſo much extended the duke's influence, his antagoniſts, and the people in general, when ſpeaking of him and his connexions, called them the Family, without any other diſtinctive appellation. Conduct of Parties, p. 16. Lond. 1712.

1702,

1702, in conformity to the terms of the grand alliance, when it was ſettled, that war ſhould be declared againſt France, on the ſame day, by the queen of England, the Emperor, and the States [8]. CHAP. I. 1702. 4th May.

The proceedings of parliament after the death of the king were uniformly acceptable to the court and the nation. The ſame revenue, that had been enjoyed by her predeceſſor, was granted to her majeſty during her life. 14th March. An act was paſſed for enabling the queen to appoint commiſſioners for treating of an union between England and Scotland; and another for examining and ſtating the public accounts. 30th. The exorbitant expence of the late war had been imputed to the negligence and corruption of miniſters, and this act was intended to ſoothe the people with the hopes of reformation, and œconomy in managing the ſupplies [9]. To confirm theſe hopes and alleviate the burdens of her ſubjects, her majeſty intimated to parliament her purpoſe of applying a hundred thouſand pounds yearly, out of her own revenue, to the public ſervice. 30th.

The abjuration oath was taken by the members of both houſes, and, in conſequence of an application to her majeſty from the commons, orders were iſſued for adding the name of the princeſs Sophia to the public prayers for the royal family. 5th May. The reſolutions, adopted by the convention at the Hague, were communicated to both houſes, and produced renewed aſſurances of their utmoſt aſſiſtance for carrying on the war; but at the ſame time they diſcovered an early and well-grounded jealouſy of the mercenary ſpirit of ſome of the allies, by requeſting her majeſty to engage them, to join with her, in prohibiting all correſpondence and trade with France and Spain [10]. 21ſt.

Although

[8] London Gazette, 26th March. Lamberti, tom. xii. p. 16. The deputies of the five circles of Auſtria, Swabia, Franconia, the Upper Rhine, and Electoral Rhine, excluſive of Bavaria, reſolved 29th March N. S. to enter into the grand alliance, and upon certain conditions to leave their troops to be diſpoſed of as the emperor ſhould judge moſt beneficial to the common cauſe. London Gazette, 26th March, 6th April.

[9] The ſupplies, for the ſervice of the year 1702, amounted to three millions, ſeven hundred thouſand and thirty-three pounds, ſeven ſhillings, and ninepence.

[10] When the earl of Marlborough was at the Hague, the States applied to him to uſe his

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Although the ſeries of public meaſures hitherto purſued was conſonant to the political ſyſtem of king William, yet ſome incidents occurred, which wounded the feelings of thoſe who cheriſhed a veneration for his character; and at the ſame time brought a ſtain upon the honour of the Engliſh nation. The popular joy, upon the queen's acceſſion, was accompanied with expreſſions of contempt and inſult towards the memory of her predeceſſor. Publications were circulated, tending to the reproach of his government, and to the diſparagement of thoſe principles which were the baſis of the revolution. While ſuch indignities did not meet with that rebuke and chaſtiſement which decency required, the court appeared ſhamefully remiſs in thoſe teſtimonies of eſteem and gratitude, which were due to the rank and character of one, who had been the illuſtrious inſtrument of national deliverance. Although king William was not addicted to perſonal extravagance, yet the diſcharge of conſiderable arrears, ariſing from the current expences of his houſehold, devolved upon the voluntary juſtice of his ſucceſſor [11]. While his perſonal effects were wantonly dealt out among the favourites of the new court, many of his creditors remained clamorous and unſatisfied. As if it had been to apologize for the indifference with which the queen tolerated theſe violations of decorum, the probity of her relation was arraigned; and it was confidently aſſerted by perſons connected with the court, that he had formed a plan to bereave her of the ſucceſſion, by transferring it, immediately after his own demiſe, to the elector of Hanover [12]. The houſe of lords, with a

his influence with the queen, to obtain permiſſion for them to continue their commerce with France, without which their merchants could not poſſibly pay taxes to carry on the war.

[11] Cunningham, vol. i. p. 259, 260. This was the more culpable, as the king left aſſets ſufficient to ſatisfy all claims againſt him. It has been aſſerted that the miniſters paid ſuch of his creditors as were in their intereſt. Id.

[12] Tindal, vol. v. p. 68. Lond. 1745. It was ſaid that ſufficient evidence of this deſign had been found among the private papers of the late king. The troops of Hanover and Zell were to move towards the ſea-coaſt of Holland; a pretended inſurrection was to be raiſed in Scotland or Ireland, to give the king a pretence for inviting theſe troops with their prince to come to England; and ſeveral peers, privy to the ſcheme, were to be made lord lieutenants of counties. Id.

laudable

laudable zeal for vindicating the honour of king William, appointed a committee to ſearch his repoſitories; and, it having appeared from their report, that the allegation was deſtitute of any ſhadow of proof, it was voted falſe and villainous; and her majeſty was requeſted to give directions for proſecuting the authors and publiſhers of it. The parliament was prorogued on the 25th May, and diſſolved a few weeks before its legal expiration, on the 2d July. CHAP. I. 1702. 4th May.

Before I proceed to the hiſtory of the campaign, it will be neceſſary to ſtate briefly the reaſons aſſigned by the confederate powers for entering into the war; and the advantages which they expected to derive from the proſecution of it.

The ſeveral declarations of war, publiſhed by the courts of Vienna, England, and the States, were founded upon the French king's breach of faith, and their indiſpenſable obligations, ariſing from former treaties and from their common intereſt, to join their force for preſerving the balance of power in Europe, endangered by his uſurpation of the Spaniſh monarchy. The acknowledgment of the right of the ſon of James to the crown of England was ſpecified, in the Engliſh declaration, as a groſs indignity on the part of Lewis to the queen and the nation [13].

The emperor complained of wrongs deeply affecting the intereſt of all the branches of his family. The dominions of Spain, the juſt inheritance of the archduke Charles, had been ſeized in violation of the moſt ſolemn treaties; and thoſe countries, in Italy, which were the patrimonial right of the archducal family, and the fiefs of the emperor, had been invaded by the armies of France. Nor were even his German territories ſecure againſt the all-graſping ambition of Lewis, who had provided magazines and erected forts, in Cologne and Liege, which he filled with his own troops [14].

The manifeſto of the States repreſented, that their deſtruction had been deſtined by the French king, from the moment of his aſſuming the reins of government; that he had made repeated attempts for

[13] Annals, Anne 1702, p. 29. Lond. 1703.

[14] Tindal, vol. v. p. 51.

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carrying it into execution by the invaſion of their country; that he never had relinquiſhed this deſign, as appeared from his having violated all thoſe articles of the treaty of Ryſwick, by which their ſecurity was provided for; that, by diſlodging the Dutch troops from the garriſons of the Netherlands, and ſupplying their place with his own, the States were deprived of a ſafe barrier[15], which they had purchaſed by two bloody and expenſive wars; that the French king exerciſed abſolute authority in the Netherlands, and was ſtretching his power to a degree inconſiſtent with the independence of ſurrounding States; that, not ſatisfied with the enlargement of his territorial empire, he was taking ſteps for engroſſing the commerce of Europe, by ſeizing all the harbours of Spain, Naples, Sicily, the Mediterranean Iſlands, and the Spaniſh Indies, encroachments ruinous to the trade, the opulence, and the political exiſtence of the United States[16].

From the tenor of theſe declarations, it is evident, that as the emperor and the Dutch had been moſt injured, and were expoſed to the neareſt danger from the ambition of Lewis, ſo they had the greateſt ſtake depending on the iſſue of the war. Correſponding with their complaints, the articles of the treaty of alliance were ſpecific and definitive with reſpect to the advantages to be procured for them. By the fifth article, it was ſtipulated, that the allies ſhould exert their utmoſt efforts for making themſelves maſters of the Spaniſh provinces in the Low Countries, to ſerve as a barrier to the States General againſt France, and to conquer the dutchy of Milan

[15] Flanders and Brabant, belonging to Spain, were a barrier to the Dutch and the Emperor againſt France; but in conſequence of France and Spain being united, theſe provinces became hoſtile to the Dutch. Beſides, the latter were afraid leſt the ancient claims of the Spaniſh monarchy ſhould be revived, which ſeemed to be inſinuated by the French king's promiſing to reſtore Spain to its ancient glory. The Duke of Anjou's Succeſſion conſidered. Lond. 1711.

The defence of the Spaniſh Netherlands was ſo great a burden to Spain, that it was propoſed at the peace of Ryſwick to exchange them with France for territory on the frontier of Spain. But as this was exceedingly alarming to the Dutch, it was agreed, that twenty battalions ſhould be furniſhed at their expence for garriſoning the Spaniſh Netherlands. The Barrier Treaty vindicated, p. 77. Lond. 1712.

[16] Ibid.

for

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for the emperor. The kingdoms of Naples and Sicily, and the iſlands and places on the coaſt of Tuſcany, were deſtined to the Imperial family; though, in order to give this clauſe of the treaty the colour of general utility, it was added, that they might be ſerviceable to the trade of England and Holland. By the eighth, it was agreed, that none of the contracting parties ſhould enter into a treaty for peace without the conſent of the reſt, and that it ſhould not be concluded till ſatisfaction was obtained for the emperor; ſecurity, for the dominions and trade of England and Holland; and effectual meaſures taken for preventing the union of the crowns of France and Spain, and the former from getting poſſeſſion of the Spaniſh Indies. The only explicit benefit ſtipulated for England was, that the allies ſhould ſecure for her all the privileges of trade in Spain and the Mediterranean, which ſhe enjoyed under the deceaſed king Charles. The maritime powers were authorized to retain, for themſelves, whatever places in the Spaniſh Weſt Indies were acquired by their arms during the war; a ſtipulation well calculated for amuſing the hopes of mercantile bodies, prone to ſpeculation and adventure [17].

Article 6.

From the various articles of the treaty now detailed, it is obvious, that it ſuggeſted, to the confederate powers, ſeparate, and even interfering intereſts, the proſecution of which required different and incompatible plans of carrying on the war. The immediate ſecurity of the empire pointed out Germany, and that of the States, the Netherlands, as the preferable ſcene of action. The intereſt of the archduke demanded the immediate and utmoſt exertion of force in Spain and Italy. Colonial conqueſts, favourable to the extenſion of the trade of England, could only be accompliſhed by the increaſe of

[17] The proportion of troops and ſhips, to be furniſhed by England and the States for carrying on the war, was adjuſted as follows: England was to furniſh two parts of five by land, and Holland the other three; by ſea, England was to furniſh five parts of eight, and Holland the other three. The quotas were thus ſettled by king William, as ſecretary Vernon acquainted the Houſe of Commons, by his order. State of the War and Peace. Somers, vol. ii. p. 34.

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her navy, which would cramp her auxiliary operations on the continent. It will be neceſſary to recur to theſe obſervations, in order to form a competent judgment of the propriety and wiſdom of the various meaſures, adopted by the ſeveral contracting parties, relative to the conduct of the war, and the negotiations for peace.

The ſtrength of France, at the commencement of hoſtilities, was apparently ſuperior, and that of her enemies inferior to what they had been under the confederacy formed by king William at the revolution. The power of the former was now augmented by the poſſeſſion of a great proportion of that force and treaſure, which had been then in the hands of the allies. The gold and ſilver mines of Spain, her armies, and fleets were entirely at the diſpoſal of the French king. The duke of Savoy had joined his forces to thoſe of France, and the double affinity, which he had contracted with the royal family, ſeemed to extinguiſh every hope of reclaiming him to the intereſt which he had been wont to ſupport [18]. By the intrigues of Lewis, the electors of Cologne and Bavaria were alienated from the court of Vienna; and the former was now prepared for hoſtilities, upon having received a reinforcement of French troops [19]. The two brothers, dukes Rodolph and Antony, who were partners in the government of Wolfembuttle, had alſo contracted engagements with the French king; and, though they were prevented from performing them by the rapid motions of the duke of Zell [20] who had overrun their country, it was expected that they would embrace the firſt opportunity of taking an active part againſt the confederates.

[18] One of the daughters of the duke of Savoy was married to the duke of Anjou, now king of Spain, and the other to the duke of Burgundy.

[19] Repreſentation concerning the late War. Lond. 1715. The elector of Bavaria had been appointed governor of the Low Countries upon the recommendation of king William to the courts of Vienna and Spain. He had been endeavouring to engage the circles of Germany in a neutrality, and thoſe of Suabia and Franconia had agreed to it. The emperor remonſtrated againſt their reſolutions at the diet of Ratiſbon, where it was ſettled that war ſhould be carried on againſt France; and that whoſoever attacked any of the States or allies of the empire ſhould be regarded as an enemy to the Germanic body. Barré, tom. x. p. 416. Paris, 1748.

[20] London Gazette, 16th March. The duke of Zell was uncle to the electoral prince of Hanover, afterwards George the Firſt. He was now in the ſeventy-eighth year of his age, and admired for his courage and activity.

The

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The elector of Saxony, engaged in a war with Sweden and his revolted ſubjects in Poland, was diſabled from furniſhing his quota of troops to the Imperial army [21].

The anticipation of hoſtilities by the French king, who had already filled the forts in the Spaniſh Netherlands with his troops and entered the Milaneſe, afforded him a mighty advantage over the allies at the commencement of the war; while the uniformity of language, diſcipline, habits, and prejudices, which generally ſubſiſted among his armies, gave a promptitude and vigour to his military operations [22].

Nor did the States of Holland enter into the grand alliance with that unanimity and firmneſs, with which they had adopted every meaſure recommended by king William, in whoſe wiſdom and talents they had entirely confided; and the diſaffected party, whoſe oppoſition had been reſtrained by a veneration for his virtues, and the awe of his authority, began now to concert meaſures for thwarting the deſigns of the confederates [23].

The campaign 1702 was opened by the allies on the 16th of April, with the ſiege of Keyſerſwaert in the dominions of the elector of

[21] Lediard, vol. i. p. 108. Lond. 1713. The duke of Anjou had been acknowledged as king of Spain by the United States, England, Portugal, and Denmark, the duke of Brunſwick-Wolfembuttle, the biſhop of Munſter, and ſeveral princes of Italy. Interior circumſtances contributed to weaken the power of the principal confederate States; England was in danger of being involved in a civil war by a diſputed ſucceſſion to the crown; and the influence of the emperor was greatly diminiſhed by the encroachments he had made upon the rights of ſome of the German princes. Dangers of Europe from the growing Power of France, p. 3. Lond. 1702.

[22] Hiſtory of Europe, vol. vii. p. 189. Lond. 1702. The force of France, at the commencement of the war, conſiſted of two hundred and twenty thouſand horſe and foot, commanded by thirteen thouſand officers, and of thirty-five thouſand militia troops; of fourſcore men of war of the line, and thirty galleys. Monthly Merc. Feb. 1701. Of the force of Spain, now added to France, I have not been able to form any eſtimate.

The united forces of the allies ought to have exceeded the number of the French; but all of them, except England, fell ſhort of their ſtipulated quotas, which makes it impoſſible to aſcertain its aggregate amount with preciſion.

According to a liſt of the Imperial troops alone, given by Lamberti, tom. xii. p. 116. thoſe in the empire amounted to forty-two thouſand; in Italy, fifty-ſix thouſand, two hundred; in Hungary, twenty-ſix thouſand, nine hundred; in the emperor's hereditary dominions, five thouſand five hundred and fifty. Quincy, as far as he enumerates them, agrees with this account, tom. iii. p. 458. Paris, 1726.

[23] Cunningham, vol. i. p. 268.

Cologne.

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Cologne. This ſmall town, being ſtrongly fortified, afforded the French a favourable opportunity to plunder and lay waſte the adjacent country, belonging to the circle of Weſtphalia and the States of Holland. The ſiege was conducted by the prince of Naſſau-Saarbrug, who commanded the troops of the United States employed as auxiliaries to the emperor [24].

A variety of circumſtances conſpired to prolong the ſiege. Count Tallard, with a large detachment of the French army, poſted himſelf on the banks of the Rhine, oppoſite to the town, and not only poured in freſh ſupplies of proviſions and men, but annoyed the beſiegers with his cannon. Heavy falls of rain interrupted the work of the pioneers, and rendered the trenches unfit for the occupation of the beſiegers. The garriſon made frequent ſallies, in which many of the confederates were killed. At length, the town being reduced to
9th June. aſhes, the prince made an attack upon the counterſcarp, which was taken after an obſtinate reſiſtance for two hours; and the garriſon
15th. capitulated on honourable terms [25].

The marſhal Bouflers, who commanded the principal army of France, having failed in his deſign of raiſing the ſiege of Keyſerſwaert, advanced to attack the earl of Athlone, encamped at Clarenbeck, near Cleves. The earl, whoſe army was inferior to that of the marſhal, decamped upon his approach; and, after having ſuſtained a conſiderable loſs of men in ſkirmiſhes with detached parties of the
11th. enemy in his retreat, he reached Nimeguen, and poſted his army under the cover of its fortifications [26]. It would have been eaſy for Bouflers to have made himſelf maſter of that city during the ſiege of

[24] They amounted to eighteen thouſand.

[25] Quincy, tom. iii. p. 527. Military Hiſtory of Prince Eugene and the Duke of Marlborough, p. 48, 9. Lond. 1742. The allies loſt five hundred men, beſides two thouſand wounded in the courſe of the ſiege. Compare Quincy with Lediard, vol. i. p. 111.

[26] Led. vol. i. p. 111. Quincy, tom. iii. p. 530. Lamberti, tom. xii. p. 26. The army under Bouflers conſiſted of forty-ſeven battalions and fifty-nine ſquadrons; Athlone's of twenty-ſeven battalions and ſixty-two ſquadrons. Berwick's Memoirs, vol. i. p. 163. Lond. 1779.

N. B. A battalion conſiſts of a body of ſeven or eight hundred foot; a ſquadron of one or two hundred horſe. This variation of number renders any calculation, founded on theſe denominations, uncertain.

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Keyſerſwaert, but he was prevented from proceeding to hoſtilities, by the hopes of getting poſſeſſion of it, in conſequence of a ſecret negociation with ſome of the principal inhabitants [27]. Finding it in vain to attempt the ſiege of Nimeguen after the arrival of Athlone's army, the marſhal directed his march towards Cleves, which, being in a defenceleſs ſtate, was pillaged and laid waſte [28].

Landau was inveſted by prince Lewis of Baden on the 16th June; the citadel was taken by ſtorm on the 9th September, and on the 10th the city ſurrendered [29]. The long continuance of this ſiege was occaſioned by the intrepid ſpirit and brave reſiſtance of Melac the governor, and the wanton profuſion of expence upon the equipage of the king of the Romans, while the moſt important military preparations were poſtponed and neglected [30].

The earl of Marlborough, appointed captain-general of the allied army, arrived at the camp before Nimeguen on the 2d July, and concerted the future operations of the campaign with the earl of Athlone, and the other principal commanders. After having collected the greateſt part of the troops which had been employed at the ſiege of Keyſerſwaert, together with thoſe of Heſſe and Lunenburg and the Engliſh from Breda, he found himſelf in a ſituation to act offenſively againſt the duke of Burgundy, who had now aſſumed the command of the principal army of France. After twice paſſing the Maeſe, he encamped near the enemy entrenched at Goch, upon which the latter decamped, and croſſed the Maeſe at Venlo [31]. 26th July.

After various ambiguous movements to deceive his antagoniſt, the earl entirely ſhut out the French army from the Spaniſh Guelderland; and by reducing Venlo, Ruremond, Stevenſwaert, and the town and citadel of Liege, opened the navigation of the Maeſe and Auguſt. September. October.

[27] Hiſtoire de Louis, Paris, H. P. D. L. D. E. D. tom. v. p. 436. Amſterdam, 1717.

[28] Led. vol. i. p. 113.

[29] Quincy, tom. iii. p. 579. Led. vol. i. p. 114. Military Hiſtory of Marlborough, p. 62, 3.

[30] Tindal, vol. v. p. 111. The ſiege was ſtopt ſeveral weeks for want of ammunition. Hiſtoire de Louis, tom. v. p. 454.

[31] Led. vol. i. p. 115.

the

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the communication with Maeſtricht, which ſecured the moſt convenient winter-quarters for his army [32].

The earl, while he purſued the duke of Burgundy's army, had repeatedly found himſelf in a ſituation to engage it with advantage, and made every preparation for that purpoſe; but his activity was arreſted, and his fond expectations diſappointed by the timidity and jealouſy of the Dutch deputies [33].

Though the elector of Bavaria had ſecretly entered into engagements with the courts of France and Spain, yet, that he might not be interrupted by the emperor in his military preparations, he had hitherto avoided declaring himſelf, or taking any open ſtep in the war. The ſituation of his dominions, as a barrier between France and Germany, and a conſiderable body of well-diſciplined troops under his command, rendered both the contending parties exceedingly anxious to obtain his decided ſupport [34]. The capture of Landau put the allies into a condition of penetrating through Lorrain into the interior provinces of France. If therefore the elector really meant to aſſiſt France, by checking the progreſs of the allied arms, the criſis was now arrived, which would admit of no farther diſguiſe or procraſtination.

[32] Led. vol. i. p. 115. Military Hiſtory, p. 52. Kane's Campaigns, p. 23. Lond. 1747. The army under Marlborough conſiſted of ſeventy thouſand men. Id. p. 33. That of the enemy being reinforced by Tallard at the head of twelve thouſand, conſiſted of ſixty-ſix battalions, and one hundred and fourteen ſquadrons; and was thereby rendered ſuperior to Marlborough's. Berwick, vol. i. p. 170.

Venlo was taken by ſtorm with a great ſlaughter of the French, on which occaſion ſome of the Engliſh officers, particularly lord Cutts, diſtinguiſhed themſelves by exploits of bravery not ſurpaſſed in the whole courſe of the war.

Ruremond capitulated, as did alſo the city of Liege; but the citadel was taken by ſtorm, and the greateſt part of the garriſon put to the ſword. A great deal of rich booty was found in the city.

[33] The earl wiſhed to attempt a pitched battle at Petit-Brugel, 2d Auguſt; and afterwards, when paſſing Dunderſlaugh Heath near Peer. Tindal, vol. v. p. 114. Kane, p. 36. The duke of Berwick ſays, "that it was fortunate that the deputies of the States oppoſed Marlborough's deſire of engaging the French at Peer, becauſe they were poſted in ſuch a manner that they would have been beaten without being able to ſtir." Berwick, vol. i. p. 170.

[34] Hiſtoire de Louis, tom. v. p. 372. The army of the elector of Bavaria, infantry, cavalry, and militia, amounted to fifty-two thouſand one hundred and nine men. Lamberti, tom. xii. p. 440.

He

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He began his ſervices to Lewis by carrying into execution a ſtratagem for ſurpriſing Ulm, the capital of Suabia. Forty officers, ſelected for this purpoſe, entered the town in the dreſs of peaſants and country girls, carrying baſkets of proviſions and fruits for the market. Six hundred dragoons lay in ambuſh in an adjacent wood, and two regiments were poſted at no great diſtance in the country. The gates being ſhut, and the inhabitants conſigned to repoſe, the ſentinels were ſeized by the Bavarian officers, and locked up in the guard-houſe. The gates were thrown open, and upon a ſignal that had been concerted, the dragoons entered, took poſſeſſion of the arſenal, rampart, and baſtions, and turned the cannon againſt the city. The garriſon run to arms, but being ſtruck with a panic upon the unexpected ſight of the enemy, diſperſed almoſt without reſiſtance[35]. 1702. 8th Sept. 9th.

In conſequence of the elector of Bavaria's entering into hoſtilities, the prince of Wirtemberg found it neceſſary to withdraw his troops for the defence of his own dominions, and other auxiliary troops being recalled for the ſame reaſon, the Imperial army under the prince of Baden was ſo much weakened as to be incapable of attacking Catinat, who commanded the French upon the Upper Rhine, which fruſtrated the prince's deſign of quartering his troops in Alſace during the winter[36]. He was even expoſed to the danger of being ſurrounded by the army of the duke of Villars, which had paſſed the Rhine, and was advancing towards his camp in two diviſions, the one commanded by the duke himſelf, the other by the count Guiſcard. Upon this information the prince decamped from Fridlengen; Villars purſued him, and an engagement appearing unavoidable, the former faced about, and began the attack by cannonading the French army. The battle was obſtinate and bloody, and continued ſeveral hours with diverſified ſucceſs; and, after all, the iſſue was ſo doubtful that both generals claimed the victory[37]. The French 13th Oct. 14th.

[35] Quincy, tom. iii. p. 592.
[36] Barré, tom. x. p. 419.
[37] Quincy, tom. iii. p. 600. Lamberti, tom. xii. p. 99. The French king, upon the news

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French next day obtained poſſeſſion of the fort of Fridlengen, but declined renewing the engagement, and left the allies in poſſeſſion of the field; and the former, inſtead of joining the Bavarians, which was their original intention, were forced to repaſs the Rhine [38].

The Bavarians made themſelves maſters of Kempten, an Imperial city upon the Iller, and Weiſſemburg in Franconia; and compelled count Palfi, who commanded a large detachment of the Germans, to deſiſt from his attack on the town of Wertheim, and made good their quarters in Suabia [39].

Count Tallard, unable to oppoſe the progreſs of the allies under the earl of Marlborough in the provinces of Guelders and Liege, after being joined by the troops of Cologne, marched into Juliers, obliged the allies under the prince Saxe Memmingen to retire, advanced to the city of Cologne, which he perſuaded to accept of a neutrality, and laid the duchy of Berg under contributions. Being ſtill farther reinforced by a body of troops commanded by the marquis de Locmaria, he made himſelf maſter of Treves, and advancing to Trarbach, forced it to ſurrender after a brave reſiſtance [40]. Theſe loſſes were in ſome degree compenſated to the allies, by the ſucceſs of the prince of Heſſe, who with a detachment from the grand Imperial army retook Zinch, Lintz, Briſach, and Andernach, which had fallen into the hands of the enemy.

Count Tallard ſeized Nanci, and garriſoned it and the other ſtrong places of Lorrain, without any provocation or colour of juſtice, merely to ſerve as a barrier againſt the Imperial troops, which had approached nearer to France by getting poſſeſſion of Landau [41].

news of the battle of Fridlengen, ordered *Te Deum* to be ſung; and promoted Villars to the rank of a marſhal for the ſervice he had rendered his country. The German army was conſiderably ſuperior in number to that of the French. Memoires du Duc de Villars, tom. ii. p. 49. A La-Haye, 1736. M. Villars at one time believed he had loſt the battle irretrievably. S. Simon, tom. vi. p. 294.

At the cloſe of this campaign the earl of Marlborough was taken priſoner in one of the boats coming down the Maeſe; but the party who took him, not ſuſpecting him to be a perſon of diſtinction, immediately releaſed him. Collin's Peerage, vol. i. p. 196.

[38] Military Hiſtory, p. 63. Monthly Mercury, October 1702.

[39] Hiſtoire de Louis, tom. v. p. 464.

[40] Barré, tom. x. p. 421. Quincy, tom. iii. p. 608.

[41] Hiſtoire de Louis, tom. v. p. 466.

Affairs

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1702.
1701.

Affairs in Italy were unpromiſing to the confederates at the beginning of the war. The duke of Mantua, in obedience to a ſummons from the prince of Vaudemont, governor of the Milaneſe, had received a garriſon of French and Spaniſh troops into his capital. This was the more mortifying to the emperor, becauſe the former was his vaſſal, and had repeatedly ſhewn his attachment to him in preference to the houſe of Bourbon; but it was not eaſy for the duke to withſtand the combined influence of fear and of intereſt. A large body of French troops was hovering on the frontiers, prepared to commence hoſtilities if he had heſitated about complying with the demand of the governor; and, on the other hand, on the condition of his complying, he had the promiſe of fifty thouſand piſtoles*, beſides an ample allowance to be paid to him monthly for maintaining the French garriſon [42]. He was cited by the council of the empire, to give an account of the ſurrender of Mantua; a ſentence of confiſcation was pronounced againſt him, all his vaſſals were diſcharged from their allegiance, and he was now marked out to be the firſt object of vindictive hoſtility. Prince Eugene advanced from Roveredo through the plains of Vicenza, paſſed the river Adige, and after feigned marches in order to diſtract and divide the French army under Catinat, he took poſſeſſion of Villa Franca, croſſed the Mincio, and directed his route to Milan. His ſtratagem proved ſucceſsful, and the greateſt part of the enemy's troops were diſpatched to prevent his paſſing the Oglio, which was underſtood to be his deſign. The prince having thus removed any near obſtruction to his actual purpoſe, ſuddenly turned back upon Mantua, and obtained poſſeſſion of the fortified poſts, and afterwards of the whole country, except the city of Mantua, which he blockaded by cantoning his army in the neighbourhood during the winter [43].

* £ 37,500.

15th July.

[42] Monthly Mercury, April and May 1701. He received only twenty piſtoles, the reſt being laid out by the French upon the fortifications of the city. Monthly Mercury, September 1701.

[43] Military Hiſtory, p. 43.

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The great object of the duke of Vendoſme in the campaign 1702, was to open the communication with Mantua, and for this purpoſe he advanced from the Venetian territories, in the month of April, with an army far ſuperior to that of Eugene, who had been diſappointed of the reinforcements promiſed by the Imperial court; and therefore could attempt nothing more than to retard that reverſe of fortune, which it was impoſſible for him finally to prevent. The duke of Vendoſme gradually recovered all the poſts and towns which had been taken the preceding campaign, and weakened the Imperial army by ſucceſsful attacks on the detachments ſent out to oppoſe his progreſs [44]. It was even believed that he had repeated opportunities of engaging the main army of Eugene with advantage; but he was reſtrained from embracing them by the king of Spain, who was advancing from Naples to aſſume the principal command, and wiſhed to reſerve, for himſelf, the renown of a victory over one of the moſt illuſtrious generals of the age [45]. The prudence and experience of Eugene diſappointed the aſpiring monarch of that deciſive ſucceſs which he expected from a general engagement. The two armies met at Luzarra. The vigour with which the Germans began the attack obliged the French and Spaniards to give way in every part of the field; but the preſence and exemplary bravery of king Philip, ſeconded by the extraordinary exertions of his officers, reanimated
15th Aug. his troops, and protracted the battle till the darkneſs of the night put an end to it, and left both the contending parties alike entitled to claim the victory [46].

An expedition againſt Cadiz had been early concerted between the late king and the allies, as the moſt likely means to prevent the

[44] Quincy, tom. iii. p. 472. 636. Barré, tom. x. p. 401.

[45] Letter from king Philip to the duke of Vendoſme, 9th May 1702. Military Hiſtory, p. 51.

[46] Military Hiſtory, p. 53. Journales de Campaigne Imperiale. Lamberti, tom. xii. p. 102. Prince Eugene had not more than twenty-five thouſand men; the French army amounted to near forty thouſand. Quincy aſſigns the victory to the French; the marquis de Feuquieres ſays, that the battle was fought without apparent advantage on either ſide. Quincy, tom. iii. p. 682. Feuquieres, vol. ii. p. 113.

French

French from getting poſſeſſion of the Spaniſh Weſt Indies, and for dividing Spain at home, by encouraging the friends of the archduke to make an open declaration of their allegiance. In proſecution of this deſign, the united fleets of England and Holland, under the command of ſir George Rooke, with a large body of troops, ſailed from Spithead on the firſt of July, and arrived before Cadiz on the tenth of Auguſt [47]. After a diſpute between the duke of Ormond and the naval officers about the plan of attack, in which the opinion of the latter was preferred, the troops diſembarked between the village of Rota and port St Katherine. Rota was taken after a ſhort reſiſtance; and port St. Mary, the general warehouſe or magazine of Cadiz, was deſerted. The admirals having ſounded the ſhores adjacent to Matagorda, a fortreſs at the entrance of the harbour, found them ſo ſhallow as to render it impoſſible for the fleet to cover the deſcent of the troops, except in thoſe parts where it would be expoſed to the fire of the enemy's ſhips lying in Port-Real creek. The duke of Ormond perſiſted in his reſolution of attacking Matagorda, notwithſtanding the opinion of the naval officers which was juſtified by the event; for his utmoſt ingenuity was exerciſed in conducting his retreat with that caution which was neceſſary to evade the dangers, ariſing from the animated exertions and reſentment of a triumphant enemy. As any farther attempt to reduce Cadiz was deemed impracticable, all the magazines at Port-Real and St. Mary were deſtroyed; and the army re-embarked and ſailed from Cadiz on the 30th September. The confederates loſt few men in the field, but many periſhed by diſeaſe, and from the fatigue and violence of the heat, inſupportable amidſt the ſands and defiles [48].

CHAP. I. 1704.

26th Aug. 28th. 2d Sept. 5th. 12th.

The miſcarriage of this expedition, together with the circumſtances of wanton depredation and cruelty with which it was attended, reduced the affairs of the confederates to a much worſe con-

[47] The fleet conſiſted of thirty Engliſh and twenty Dutch ſhips of the line, beſides ſmall veſſels and tenders, amounting in all to one hundred and ſixty ſail. The Engliſh and Dutch troops amounted to thirteen thouſand eight hundred. Lives of the Admirals, vol. iii. p. 9. Lond. 1779.

[48] Lives of the Admirals, vol. iii. p. 10. &c. London Gazettes, September, October, November.

dition

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dition than as if it never had been attempted, and confirmed thoſe ſtrong prejudices againſt the proteſtants, which through the whole of the conteſt were ſo fatal to the cauſe of king Charles [49].

The firſt news from the fleet was received with murmuring and diſcontent, which however was ſoon removed by its ſucceſs in a quarter where it was not expected. When ſir George Rooke was ſteering for England, he received information of the Spaniſh galleons having put into Vigo under the convoy of a French ſquadron. He directed his courſe thither, and his attempt was crowned with remarkable ſucceſs, which was owing to ſingular good fortune, as well as the brave conduct both of the fleet and army. Twenty ſhips of war were taken and deſtroyed in the harbour. A great proportion of plate and goods had been carried into the country upon the approach of the confederate fleet; but enough remained to reward the ſervices of all who had any ſhare in this expedition [50].

11th Oct.

Admiral Leake, who had been ſent out with a ſquadron to Newfoundland, completely deſtroyed the French ſettlements there, and reſtored the Engliſh to the entire poſſeſſion of the iſland.

Admiral Benbow who commanded the Engliſh fleet in the Weſt Indies at the commencement of the war, maintained a running fight with the French admiral Le Caſſè for ſeveral days, in which, owing to the miſconduct of ſome of his captains, nothing deciſive was performed; and his fleet ſuffered ſo much, that it was rendered unfit for ſervice during the remainder of the ſeaſon.

21ſt, 22d, 23d, 24th July.

[49] Lamberti, tom. ii. p. 251. The army of the confederates, intoxicated with the rich wines which they found in the cellars of the inhabitants, pillaged the houſes, and broke down all the furniture they were unable to carry away; many of the churches were ſtript of their precious ornaments. The damage done to the inhabitants did not amount to leſs than a million ſterling. Salmon's Modern Hiſtory, vol. xxv. p. 68. Lond. 1734.

Sir Henry Bellaſis, lieutenant-general, and ſir Charles O'Hara, were put under arreſt for not having reſtrained their men from plunder; and the former diſmiſſed from the ſervice when they came to England. Lives of the Admirals, vol. iii. p. 12.

[50] Lives of the Admirals, vol. iii. p. 15, &c. The ſilver and gold in this fleet was computed at ten millions of pieces of eight (2,250,000l.); of which eight millions was taken out of the galleons and ſecured by the enemy; the reſt was taken or deſtroyed with the galleons: the goods were valued at four millions of pieces of eight; one-fourth of which was withdrawn, two deſtroyed, and the other taken by the confederates.

Sir Claudſley Shovel, who had been ſent out by the miniſtry with a ſquadron of twenty men of war to intercept the galleons, came to Vigo 10th October, and aſſiſted in carrying off and bringing home the ſpoils.

CHAP. II.

The Elections in favour of the Tories.—Parliament meets.—Mr. Harley choſen Speaker.—Her Majeſty's Speech.—Addreſſes.—Partiality of the Commons in Queſtions relative to Elections.—Bill againſt occaſional Conformity.—Arguments for and againſt it.—It is thrown out by the Lords.—The Abjuration Oath extended to Ireland.—Lord Ranelagh expelled the Houſe of Commons.—Addreſs of the Commons againſt Lord Halifax.—Bills introduced in the Houſe of Commons.—They refuſe to comply with her Majeſty's Recommendation for ſettling a Penſion on the Family of the Duke of Marlborough.—Supplies.—Parliament prorogued.—Campaign 1703.—The Duke of Savoy and the King of Portugal join the Confederacy.—Circumſtances unfavourable to it.—Newburg taken by the Elector of Bavaria—Fort Kehl by Marſhal Villars.—The Imperial troops abandon the Valley of Kintzinguen, and the Marquiſate of Baden.—Progreſs of Counts Schlick and Stirum in Bavaria.—Checked by the Elector's Succeſs in the Battles of Scharding and Welts.—Junction of the French and Bavarian Armies.—The Elector overruns Tirol.—Is forced to evacuate it by the Tirollian Peaſants.—State of the War in Italy.—The Duke of Vendoſme takes Barſello.—Gets poſſeſſion of the Duke of Modena's Country.—Advances to Trent—retreats on hearing of the Repulſe of the Elector of Bavaria.—Marches into Piedmont, and lays waſte that Country.—Advantage gained by the French at Hochſtet.—Briſach taken by the Duke of Burgundy.—Landau inveſted.—The Prince of Heſſe advances to raiſe the Siege.—Is defeated by the Marſhal Tallard—and the Town ſurrenders.—Succeſs of the Allies in Flanders.—Bonn beſieged and taken.—Tongres taken by the French—Retaken by the Duke of Marlborough.—The French Lines ſucceſsfully attacked by Generals Spaar and Cohorn.—General Obdam defeated at Eckeren.—Huy and Limburg taken by the Duke of Marlborough—Guelders by the Pruſſians.—Naval affairs.

THE marked partiality of the queen to the Tories, while loyalty was yet new and fervent, gave them every advantage in the competition at the general election. The landed intereſt was generally exerted for them, and their engagements to ſupport the war

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war obtained a greater ſhare of popularity than they had ever found before among the corporations. From theſe favourable circumſtances, the intereſt of the Tories was ſtronger in the firſt parliament of queen Anne, than it had been at any period ſince the revolution.

The ſeſſion commenced on the 20th October 1702. Mr. Harley
21ſt Oct. was choſen ſpeaker for the third time without any oppoſition. Her majeſty expreſſed her ſatisfaction in the pleaſing teſtimonies which ſhe had received of the duty and loyalty of her people [1]. She expected that the zeal of parliament for the common cauſe would be an example to the allies, and redound to the general advantage of the confederacy. While ſhe ſolicited the neceſſary ſupplies, ſhe recommended a ſtrict inſpection of public accounts, and an inquiry into former abuſes in the management of the revenue.

The addreſs of the lords perfectly accorded with the ſentiments of the royal ſpeech; and that of the commons, while it exceeded in compliment to her majeſty, and obliquely cenſured the conduct of her predeceſſor, gave an inſight into the temper and motives which pervaded all the future deliberations of that houſe during the continuance of this parliament [2]. Not ſatisfied with augmenting their ſuperiority by a diſgraceful partiality in deciding on the conteſted elections [3], they laid hold of every incident which could furniſh them with any ſpecious pretext for cenſuring the conduct of
28th. their antagoniſts. They addreſſed her majeſty to remove the biſhop of Worceſter from the office of almoner, on account of his mali-

[1] During the receſs of parliament, the queen had accompanied her huſband to Bath, and viſited Oxford and Briſtol, &c. She was every where entertained with magnificence and ſplendour, and flattered with the warmeſt teſtimonies of loyalty.

[2] They ſaid, that the wonderful progreſs of her majeſty's arms had *ſignally retrieved* the honour of the nation; and, that as ſhe had always been an illuſtrious ornament to the church, they hoped to ſee it reſtored, under her government, to all its due rights, by deveſting thoſe men of power who wiſhed to deſtroy it. Journals Commons, 26th October.

[3] In the caſe of Hindon, the evidence of bribery was ſo ſtrong, that the burgh was diſfranchiſed; and yet the member who had given the bribe, being in the Tory intereſt, was permitted to keep his ſeat. Journals Commons, 24th October, &c. See alſo the caſe of Glouceſterſhire. Id. 24th October, 19th November. So great indeed was the partiality of the majority in the Houſe, that not one Whig was admitted upon petition.

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cious and unchriſtian proceedings to prevent the election of ſir John Packington in the county of Worceſter; and to direct a proſecution againſt Mr. Loyd the biſhop's ſon, for his participation in the ſame offence [4].

The lords were highly offended at this precipitate and violent meaſure, which affected one of their own members, and addreſſed her majeſty to delay any expreſſion of her diſpleaſure againſt the biſhop, till he was convicted in the courſe of law of the crime laid to his charge; but ſhe gratified the commons by exerciſing her prerogative, in a caſe, where delicacy and diſcretion ought to have reſtrained its interference [5]. 20th Nov.

An attempt was made in the houſe of commons to revive the animoſities which had been excited by the queſtion of the partition treaty; and at the ſame time to arraign the honour of the upper houſe indiſcriminately, by voting that right had not been done them upon the impeachments brought before the lords in the preceding parliament. But as that queſtion tended to the crimination of individuals intimately connected with the party which was now the ſtrongeſt in the miniſtry, and in the houſe of commons, and at the ſame time involved conſtitutional difficulties, it was not inſiſted upon. 2d.

The zeal of the Tories, in the preſent and future ſeſſions of this parliament, was exerted with unremitting diligence to obtain a new law againſt occaſional conformity, becauſe it appeared to be the moſt compendious and effectual expedient for extinguiſhing the influence of the Whigs.

[4] The charges againſt the biſhop were, that he had written to ſir John Packington to deſiſt from the canvas, and, to the clergy of the dioceſe, to make what intereſt they could againſt him; that he had calumniated the characters of ſir John and his anceſtors in the courſe of his viſitations, and threatened to turn his lay-tenants out of their leaſes if they did not vote as he deſired. Journals Commons, 18th November 1702.

[5] In anſwer to the petition of the lords, the queen ſaid, "that ſhe thought it her undoubted "right to continue or diſplace any ſervant "attending upon her own perſon when ſhe "ſhould think proper." Journals Lords, 20th November.

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Although the late king had failed in all his efforts for opening the doors of the eccleſiaſtical eſtabliſhment to moderate diſſenters, and for aboliſhing penal ſtatutes, which bore hard upon his proteſtant ſubjects; yet his known ſentiments and exemplary lenity reſtrained wanton and rigorous proſecutions; ſuſpended the animoſities of ſects; and leſſened that faſtidiouſneſs, with which the generality of diſſenters had been wont to keep aloof from communion with the church. Many of the preſbyterians who held offices in corporations, and ſome in private ſtations, occaſionally attended public worſhip in the parochial congregations; and even received the ſacrament according to the form preſcribed by the liturgy[6]. How far this conduct was conſiſtent with probity, or with the letter and intention of the ſtatute, was a queſtion which admitted of diverſity of opinion. Upon the firſt branch of it, which referred to the morality of the action, the conſcience of individuals alone was competent to decide; nor did it require any ſtretch of candour to ſuppoſe, that the pureſt motives might not only juſtify, but recommend, to the enlightened chriſtian, an abatement of reſerve with reſpect to ſocial worſhip, and even a frequent intercourſe in religious ſolemnities with thoſe perſons who were tenacious of certain principles and external forms, of which the partial conformiſt did not approve. In every caſe where the ſtatute law is not expreſſed with the utmoſt accuracy and preciſion, it will be liable to a different explanation, according to the various intereſts and prejudices which bias the minds of its interpreters. The Whigs, who lay under great obligations to the diſſenters for their uniform ſupport at elections, profeſſed to think favourably of their moral conduct in the practice alluded to; and maintained its exemption from penalties as being nowiſe inconſiſtent with the ſtatute: whereas the Tories, jealous of the increaſing power of a party adverſe to their intereſt, and of any infringement of the prerogatives of the church, condemned occa-

[6] Tindal, vol. v. p. 179, 180.

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sional conformity, as equally repugnant to the principles of integrity and the laws of their country. Freed from the reſtraint ariſing from the diſcountenance of the court, and emboldened by the congenial ſentiments of the new ſovereign, the latter began to complain loudly of the criminality and danger of occaſional conformity; and to circulate ſuch treatiſes as were calculated to caſt an odium upon the diſſenters, and to repreſent them as unworthy of the indulgence with which they had been favoured in the late reign[7]. But though the leaders of that party who were now in the adminiſtration had the power of executing the laws, yet being ſtill diffident of their ſufficiency, as they then ſtood, to ſuppreſs the abuſe complained of, or to accompliſh that ſevere chaſtiſement which they wiſhed to inflict on the diſſenters; a bill was now brought in by the commons for diſabling every perſon to hold any office, who, notwithſtanding his having taken the teſt, afterwards attended any meeting for religious worſhip that did not conform to the practice of the church of England. 4th Nov.

The advocates for this bill did not conceal the influence of party motives, and argued, that as the laſt reign had commenced with a law in favour of the diſſenters, ſo propriety and juſtice required that the inauguration of the preſent illuſtrious ſovereign ſhould be diſtinguiſhed by ſome ſignal teſtimony of her kindneſs to the eſtabliſhed church. At the ſame time, without a ſcrupulous regard to conſiſtency of argument, they contended that the preſent bill neither invaded the toleration which the diſſenters already enjoyed, nor added to the privileges of the eccleſiaſtical eſtabliſhment. The preſervation and defence of theſe, equally eſſential to the purity of the chriſtian doctrine and the vigour of the civil conſtitution, were held forth as

[7] Impartial View of the two late Parliaments, p. 25. Lond. 1711. The principal of theſe were intitled, William's Affection to the Church of England, Lond. 1703. The Engliſh Monſter, or the Character of an occaſional Conformiſt. The Eſtabliſhment of the Church, the Preſervation of the State. The Caſe of Toleration recognized. A new Teſt of the Church of England's Loyalty. The Political Union by Dr. Sacheveral, 1702. The Caſe of Regale, by Leſsley; and ſeveral Sermons on High Church Principles.

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the only objects of the bill. The moſt groſs and unpopular hereſies were indiſcriminately imputed to the diſſenters; and the inſurrections and rebellions of the preceding age were aſcribed to their progenitors, to whoſe principles their deſcendants ſtill adhered. The moſt ſpecious arguments for the bill were thoſe which aſſumed a colour of virtue, by expreſſing indignation at the hypocriſy of a ſet of men, who it was taken for granted conformed to the eſtabliſhed worſhip, no farther than was neceſſary to prevent their excluſion from ſecular honours and gain [s].

The oppoſers of the bill expreſſed a juſt deteſtation of all thoſe reflections which were derogatory to the policy of king William, and injurious to the character of the diſſenters in general. In the late and preſent reign, the ſame fundamental principles of government had been adopted; and as her majeſty had been pleaſed to give the ſtrongeſt aſſurances of her intention to maintain the toleration, ſo, under the adminiſtration of her predeceſſor, the church had ever met with all the encouragement and protection to which it was entitled by law. If early hiſtory furniſhed examples of the ſeditious ſpirit of non-conformiſts, the remembrance of them ought to have been obliterated by the recent and meritorious ſervices of their children, in ſupport of liberty and the reformed religion. The ſalutary influence of lenient and tolerant meaſures afforded experimental conviction of the wiſdom of that policy from which they ſprang. They had blunted the edge of religious hatreds; they had already reconciled many of the diſſenters to the church; and, in their progreſſive effects, might be expected to promote that complete and ſincere union, which the authority of law and the terror of puniſhment could never enforce. While the immorality of conforming to the rites of the church from worldly motives was execrated, doing it from liberal principles was a caſe which might be fairly ſuppoſed, and wherever it was found deſerved praiſe. Such a practice had

[s] Journals Lords, Commons, paſſim. Memorial for the Church of England. Lond. 1706.

been

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been recommended by the example, as well as opinion, of the moſt pious diſſenting divines in the laſt age, and had been followed by ſome of their lay adherents, who declined interference in political affairs, and accepting poſts of honour and emolument [9].

The ſtreſs of the oppoſition to the bill was laid upon its peculiar unſuitableneſs to the times, the critical ſituation of public affairs, its extreme ſeverity and extenſive operation, and the infamous methods preſcribed for convicting offenders. Was it not dangerous, in the heat of a war, to adopt any meaſure tending to divide the nation at home, and to leſſen the eſteem and confidence of her allies? The penalties were oppreſſive beyond the example of the moſt tyrannical reigns, while the deſcription of the crimes, for which they were to be inflicted, was vague; and the terms of the act were perplexed, enſnaring, and calculated for enlarging the compaſs of oppreſſion [10]. The extenſion of the bill to foreign proteſtants brought a ſtain upon the hoſpitality and gratitude of the Engliſh nation. Nor was its impolicy leſs glaring and cenſurable, as it might furniſh proteſtant ſtates abroad with a pretext for retaliating upon the members of the church of England, who now lived ſecurely under their protection. The malicious operation of the bill with reſpect to perſons employed in ſchools and hoſpitals, ſubſiſting by the charitable bequeſts of diſſenters, afforded topics of deriſive cenſure and pathetic declamation. Admitting all the grounds of reproach that had been vented againſt the diſſenters in the courſe of this debate, that they were *ſchiſmatical*, *hypocritical*, and *ſeditious*, was it not hard to reſtrain them from the exerciſe of that charity *which covers a multitude of ſins*?

[9] Calamy's ejected Miniſters, p. 7. The celebrated Richard Baxter practiſed occaſional conformity from the moſt liberal motives in the reign of Charles the Second; and his example was followed by many of the moſt reſpectable Preſbyterian diſſenters.

[10] It was propoſed by this act to impoſe a fine of one hundred pounds upon every perſon in office, who, having taken the ſacrament and teſt 1673, afterwards frequented the meetings of diſſenters, and five pounds for every day he continued in office after ſuch tranſgreſſion. The penalties of the bill were to extend not only to magiſtrates, as in the teſt act, but to inferior officers and freemen in corporations. The perſon convicted was to be made incapable of holding any office in future.

This

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This bill was finally repreſented as tending to debaſe and adulterate the conſtitution by the encouragement which it gave to informers. Inſtead of reſerving the employment of theſe odious men to the diſcretion of miniſters upon preſſing emergencies of ſtate, they were invited by a premium, to a malicious inveſtigation of the conduct of their fellow-citizens, dangerous to the ſecurity and peace of the moſt guarded innocence [11].

After all, the oppoſers of this bill in the houſe of lords, where it met with the moſt ample and impartial diſcuſſion, do not ſeem to have perceived the ſtrength and extenſive application of thoſe arguments which they brought againſt it. All of them deprecated the cenſure of being lukewarm or indifferent to the intereſts of the church. The majority approved of the principle of the bill; and would have voted for it, had the commons agreed to the amendments propoſed for reſtricting its operation and mitigating its ſeverity; but they continued inflexible, and loſt their favourite meaſure by a ſingle voice in the upper houſe [12].

A bill paſſed in the houſe of commons for enlarging the time of taking the oath of abjuration, and reſtoring to the capacity of office ſuch perſons as had hitherto declined the oath, provided that they took it within the time now preſcribed by the act. Although this bill had profeſſedly no other object than lenity, which was likely to redound to the farther ſecurity of her majeſty's perſon, by conciliating the affections and fidelity of ſome reſpectable perſons who had been wavering in the preceding reign, yet it was ſuſpected that it would open a door for ſuch as were hoſtile to the proteſtant ſucceſſion, who might imagine that they fully diſcharged the duty of the

[11] Journals Lords and Commons, paſſim. Low Church vindicated. Lond. 1705. Inquiry into the occaſional Conformity Bill. Lond. 1704. Several conferences paſſed between the two houſes on this bill, which were managed, on the part of the commons, by ſir Simon Harcourt, ſir Thomas Powys, Mr. Bromley, St. John, and Finch; on the part of the lords, by the duke of Devonſhire, the earl of Peterborough, the biſhop of Sarum, lord Somers, and lord Halifax.

[12] Journals Commons, November, December, January, February, paſſim; Journals Lords, paſſim, particularly 24th February. Hiſtory of Europe, vol. viii. p. 17. vol. ix. p. 2.

oath,

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oath, by withholding their allegiance from the pretender during the life of his ſiſter. When the bill came to the houſe of lords, the Whigs not only ſtript it of all ambiguity or cover for mental reſervation, but rendered it the inſtrument of farther ſecurity to the proteſtant ſucceſſion, by introducing an amendment, which made it treaſon to attempt defeating the ſucceſſion to the crown according to the limitation of the late acts; and by extending its obligation to Ireland [13].

In conſequence of ſeveral abuſes relative to the management of the revenue reported by the commiſſioners on the public accounts, lord Ranelagh, the paymaſter of the army, was expelled the houſe of commons; and an addreſs was preſented by them to her majeſty for proſecuting lord Halifax for breach of truſt and neglect of duty. From the defences made by the ſuppoſed delinquents, there can be little doubt that theſe meaſures aroſe from the reſentment of the party now in power, to whom lord Halifax was peculiarly obnoxious, both on account of his ſuperior abilities, and his zealous exertions in the intereſts of their antagoniſts. Under this impreſſion, the lords ſent a meſſage to the commons, deſiring their conſent for the commiſſioners of accounts to attend at the bar of the upper houſe, that they might have the opportunity of forming an impartial judgment concerning the grounds of an accuſation which impeached the honour of one of their own members. The commons having refuſed to comply with this deſire, the lords entered upon the examination of ſuch facts as came within their own knowledge, and acquitted lord Halifax of the guilt imputed to him [14].

1ſt Feb.

4th Feb.

Other

[13] M'Pherſon's State Papers, 1703, vol. iii. p. 634. Dubl. 1775. Journals Commons, November, December, paſſim; Journals Lords, 5th February, & paſſim. Life of Bolingbroke, p. 81. Dublin, 1753. When the bill was returned with amendments to the commons, they were afraid of oppoſing them, leſt they ſhould fall under the ſuſpicion of being enemies to the Hanoverian ſucceſſion.

It was conſidered as informal and unprecedented to introduce a clauſe enacting a new ſpecies of treaſon in a bill regarding a matter of inferior weight.

[14] Lord Ranelagh had but a ſmall perſonal eſtate, and was ſuppoſed to have laid out more money

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Other meaſures calculated for public utility, and unconnected with the ſpirit and views of party, redounded to the credit of the houſe of commons with which they originated. Such were the bills for continuing the commiſſioners of accounts, and more effectually enſuring fidelity in the diſcharge of their truſt; for preventing frauds in the ſtamp-duties, and obtaining regular ſtatements of the profits ariſing from them. The commons alſo diſcovered a laudable independence, by refuſing to comply with a recommendation from the queen, for ſettling a penſion of five thouſand pounds per annum on the duke of Marlborough and his heirs; becauſe it might ſerve as a precedent for the partial and extravagant reward of merit, and entailing burdens on their poſterity [15]. For the encouragement of domeſtic induſtry, and alleviating the loſs occaſioned to the manufac-

20th Jan. turers by the war, they addreſſed the queen to give directions for ſupplying her armies entirely with clothes and proviſions from England. While the commons agreed to the addition of ten thouſand foreigners to be taken into the pay of England for acting in conjunction with the allies, they qualified their generoſity with the

money upon building, gardening, and ſuperb furniture, than any perſon in England, which occaſioned the ſuſpicion of his having made free with the public money. He was charged with the miſapplication of ſeveral ſums, and of having fallen much behind in his accounts. It does not appear however, from the inquiry, that theſe charges had any juſt foundation. See Journals Commons, 29th January, 8th February, 4th and 6th March, 1704. He died while the inquiry was depending, and his place, which he had reſigned, was divided between Mr. Howe and ſir Stephen Fox.

With reſpect to the caſe of lord Halifax, the partiality of the commiſſioners was ſtill more glaring, as it appeared, that his predeceſſors, during the three preceding reigns, had not perfected their accounts; and that the cuſtomary forms of the Exchequer, &c. obviouſly accounted for that delay, which was made the ground for accuſing him. For a more full account of this, ſee Journals Lords, 4th February, &c. Hiſtory of Europe, vol. viii. p. 85, &c.

In compliance with the deſire of the commons, the attorney-general inſtituted a proſecution againſt lord Halifax, but it was afterwards dropt by order of the queen in council.

[15] Journals Commons, 16th December, &c. The earl of Marlborough had been lately created a duke, 28th November. He was thanked by both houſes for his ſingular ſervices; as were alſo, the duke of Ormond and ſir George Rook. Putting the two laſt upon the ſame footing with the duke of Marlborough was thought by his friends a leſſening of his ſervices; and was a prelude to that rupture between him and the Tories, which ſoon after enſued. Hiſtory of the Reign of her late Majeſty, p. 72. Lond. 1740.

expreſs

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expreſs condition, that the States of Holland ſhould diſcontinue all correſpondence and commerce with France and Spain [16]. A bill paſſed in the lower houſe for the ſale of the forfeited eſtates in Ireland, and for reſuming the exorbitant grants which had been unwarily made by the late king; but a negative was put upon it by the lords. 5th Jan. 18th Feb.

Supplies were granted to the full amount of every demand for the purpoſe of the war; and the ſum of one hundred thouſand pounds per annum was ſettled upon prince George of Denmark, in caſe of his ſurviving the queen [17]. 3d Dec.

On the 27th of February the queen came to the houſe, and prorogued the parliament till the 4th of July.

Her majeſty's ſpeech upon this occaſion contained an explicit approbation of the ſentiments of the Tories; and gave a ſanction which ſhe could not afterwards revoke, to that rancour againſt the diſſenters which had already begun to ferment in the minds of the people, and afterwards burſt out into ſuch tumultuary fury, as violated all public order and diſgraced the name of religion [18].

Since the cloſe of the laſt campaign, ſome tranſactions had taken place which materially affected the intereſts of the contending powers.

The duke of Savoy, finding that he was not likely to obtain thoſe advantages for his family which he expected from ſiding with France, and diſguſted with the indignities with which he was treated by the French generals who ſerved under him, began to give hints of his

[16] The States, in conſequence of repeated applications from England, entered into reſolutions about forbidding trade with France, but with ſuch exceptions, that it was little interrupted; and they ſtill continued to derive eſſential benefits from it during the whole courſe of the war. Projets de deputez de Hollande. Lamberti, tom. xii. p. 30. tom. xiii. p. 26.

[17] The whole ſupplies granted this ſeſſion amounted to three millions, ſeven hundred, twelve thouſand, three hundred and eighteen pounds eleven ſhillings and fivepence.

[18] Her majeſty ſaid, "That ſhe hoped ſuch "of her ſubjects as had the misfortune *to diſ-* "*ſent from the church of England*, would reſt "ſatisfied with the act of toleration which ſhe "was reſolved to maintain; and that thoſe "who had the *happineſs to be of that church* "would conſider that ſhe had her education "in it, and would be ſure to encourage it as "by law eſtabliſhed."

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deſire to be reconciled to the allies [19]. His embaſſador at the court of Vienna was at great pains to inſinuate ſpecious apologies for his maſter's apparent deſertion of the German intereſt, and for the admiſſion of French troops into his dominions. He reminded the emperor of former proofs of the duke's attachment to him, which had not been duly regarded; and of his having effectually contributed to the promotion of the Auſtrian power in Lombardy. He magnified the ſervices he was now capable of rendering the confederates, if encouraged to hope for ſuch a recompence as might juſtify him for breaking the ties of affection. His demands appeared extravagant, but his alliance was eſſential to the recovery of what the emperor had loſt in Italy, and it was eaſy for the latter to promiſe what he had not now in his power to beſtow. Leopold engaged to transfer, to the duke, Montferrat, Mantua, and the towns of Alexandria and Valenza in the Milaneſe, and the country between the Po and Tanaro [20].

8th Nov.

The king of Portugal was not long in following the example of the duke of Savoy. He had been prejudiced againſt the grand alliance, from the apprehenſion of an eventual union between the Spaniſh and Imperial crowns, which muſt have entirely ſubverted the independence of Portugal, and the ſovereignty of the houſe of Braganza. But this apprehenſion being removed by the emperor's

[19] St. Simon, tom. vi. p. 263. 447. The marſhal Villeroy ſeldom addreſſed the duke by any other title than that of *Savoy*, as if he had been a mercenary general in the French pay, and not an independent prince courted by the greateſt potentates in Europe. Age of Lewis the Fourteenth, vol. i. p. 275.

[20] Barré, tom. x. p. 421. Voltaire's Age of Lewis Fourteenth, vol. i. p. 281. Glaſgow, 1763. This treaty was concluded on the 15th January 1703. The duke wiſhed it to be kept ſecret till he brought off his troops in the pay of France; but the progreſs and circumſtances of it were well known to the French king. St. Simon, tom. vi. p. 447. The queen of Britain afterwards became guarantee for the fulfilment of the treaty between his Imperial majeſty and his royal higneſs; and alſo bound not to conſent to any peace to the prejudice of his right to the ſucceſſion of the Spaniſh monarchy after the houſe of Auſtria, and to ſend him a preſent of ſixty-ſix thouſand, ſix hundred and ſixty-ſix crowns (£.14,999 17*s.*); and to pay him a monthly ſubſidy of fifty-three thouſand, three hundred and thirty-three crowns (£. 11,999 18*s.* 6*d.*) during the continuance of the war. See Articles ii. vi. vii. Appendix to the Hiſtory of Europe, 1705.

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renunciation of all his perſonal claims upon the monarchy of Spain, he could no longer reſiſt the liberal offers now propoſed for extending his dominions, and for ſcreening him at the ſame time from the reſentment of the French king. The emperor, in name of his ſon the archduke, ceded, to the king of Portugal, Badajox, Alcantara, Albuquerque, and Valencia in Eſtramadura; Bayon, Vigo, Tuy, and Gordia in Galicia, with the country beyond Rio de Plata in Peru; and alſo flattered him with the hope of the archduke's marrying his daughter the infanta. The Engliſh undertook to protect the trade and coaſts of Portugal; and the emperor, the States, and the queen, jointly, to pay an army of eight thouſand Portugueſe, beſides ſupplying him with reinforcements to the amount of twelve thouſand men [21].

While the grand alliance was thus fortified by the acceſſion of the duke of Savoy and the king of Portugal, other circumſtances conſpired to diſturb its internal union, and to check its vigour and activity. The princes of the empire who acceded to the confederacy, jealous of an increaſe of the Imperial authority, brought forward their aſſiſtance ſlowly, and with reluctance. Nor did the emperor himſelf furniſh the full proportion of troops ſtipulated by the articles of the alliance; nor were thoſe which he did furniſh ſuitably equipped, or ſent into the field at the early ſeaſon requiſite for carrying on an offenſive war. An inſurrection in his Hungarian dominions, fomented by the intrigues of the French court, drew off ſome of his choice troops and generals who had been deſtined to cooperate with the allied armies [22]. The cauſe of the allies in Germany as well as in Spain was rendered unpopular among the Roman catholics, who were perſuaded by the officious zeal of their prieſts, that the war was intended by the States and by England,

[21] Barré, tom. x. p. 423. St. Simon, vol. vi. p. 447. This treaty was ſigned at Liſbon on the 16th May, and ratified at London on the 14th July.

[22] Hiſtoire de Louis, tom. v. p. 484. Prince Eugene was ſent into Hungary to command the Imperial army againſt the inſurgents.

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for the extenſion of the proteſtant faith. To eſtabliſh this fact, it was ſpeciouſly aſſerted that the French king had met with no oppoſition from any of his native ſubjects, except the Cevennois, who had conſpired to withdraw their allegiance from him, upon the promiſe of being ſecured by the allies in the open profeſſion of that religion. The effect of theſe impreſſions had become ſo alarming to the catholic members of the confederacy, as to render it neceſſary for the diet of Ratiſbon to publiſh a manifeſto, containing aſſurances of unſhaken attachment to the religion of their country, and declaring that the war was undertaken ſolely for curbing the exorbitant ambition of the French king, which threatened the deſtruction of the liberties and independence of Europe [23].

January. The elector of Bavaria having received large reinforcements of French troops, took the field before thoſe of the emperor under the prince of Baden were in readineſs to oppoſe him, and made himſelf maſter of Newburg, the capital of the dutchy belonging to the elector palatine [24].

February. Marſhal Villars left Straſburg, where his troops had been quartered during the winter, croſſed the Rhine at the bridges of Hunninguen and Newburg. From this movement, the Imperialiſts were led to conclude that he intended to form a junction with the elector of Bavaria, and withdrew the greateſt part of their troops from Briſach and Friburg to obſtruct his paſſage through the Black Foreſt, ſo that he advanced with little obſtruction to fort Kehl, which he inveſted [25]. The garriſon after a ſpirited ſally, in which many of the

5th March. enemy were killed, capitulated. The Imperial troops under general Bibra, alarmed with the unexpected ſucceſs of Villars, not only abandoned all the towns which they held in the valley of Kintzinguen, and the marquiſate of Baden, and the forts they had erected

[23] Monthly Mercury, March 1703.
[24] Quincy, tom. iv. p. 44.
[25] Situated at the end of the bridge of Straſburg, it afforded the army which poſſeſſed it a convenient paſſage over the Rhine.

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on the banks of the Rhine, but, from the terror of being cut off by a ſuperior force, deſerted their ſtandards, and diſperſed themſelves in the adjacent woods [26]. 1703.

To retrieve theſe diſadvantages, and prevent the junction of the French and Bavarians, the counts Schlick and Stirum entered Bavaria with an Imperial army in two detachments, the former through Saltzburg, and the latter through Newmark and the Upper Palatinate. Stirum defeated a body of Bavarian troops which attempted to ſtop his progreſs, and afterwards made himſelf maſter of Newmark and Amberg, the capital of the Upper Bavarian Palatinate. Count Schlick alſo had the good fortune to break into the Bavarian lines, and took Ried and ſeveral ſmall places in that neighbourhood [27]. This ſucceſs prevented the adjacent ſtates of Suabia and Franconia from being ſeduced into a neutrality by the ſpecious arguments of the elector; and confirmed the diet of Ratiſbon in its former reſolutions of adhering to the court of Vienna. Theſe advantages were however counterbalanced by a victory, which the elector obtained over the army of count Schlick at Scharding; and 11th March.
by another over a detachment of count Stirum's army at Wells; 28th.
after which Emhorf and Ratiſbon ſurrendered to him [28]. 8th April.

Marſhal Villars, in the mean while, having been repulſed in an attempt for breaking through the prince of Baden's lines at Stolhoffen, in order to join the elector of Bavaria, conducted his army through the Black Foreſt, and effected his purpoſe at Dutlingen [29]. May.

After the junction of the French and Bavarian armies, it was concerted between Villars and the elector, that the former ſhould obſerve the motions of the prince of Baden, while the latter penetrated through Tirol, to intercept the communication between Germany and the Imperial army in Lombardy [30]. The forts of that mountainous diſtrict were naturally ſtrong, but the garriſons placed

[26] Quincy, tom. iv. p. 45, &c. Memoires du Villars, tom. ii. p. 55.
[27] Quincy, tom. iv. p. 66, &c.
[28] Quincy, tom. iv. p. 74. Hiſtoire de Louis, tom. v. p. 488, &c.
[29] Quincy, tom. iv. p. 79. 81. Memoires du Villars, tom. ii. p. 97.
[30] Quincy, tom. iv. p. 87.

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in them ſo weak, and ſo little aware of attack, that the elector in a few days made himſelf maſter of the whole country, and entered triumphant into Inſpruc, the capital, where he laid the inhabitants under heavy contributions. Believing that he had ſurmounted every difficulty, he advanced towards the country of the Griſons, in full confidence of joining the duke of Vendoſme, who was beſieging Trent. But now the bravery of the Tirolian peaſants effected what the regular army could not do. They roſe upon the French troops, expelled them from the garriſons, and taking advantage of the ruggedneſs of the roads and the narrowneſs of the paſſes, cut off a great number of them; and obliged the reſt to retreat with more rapidity than they had advanced [31].

Though the military force of the French in Italy during this campaign exceeded that of the emperor, this advantage was not productive of any material ſucceſs. Naples was under ſubjection to Spain; but the ſecret friends of the houſe of Auſtria were numerous, and the diſaffection of the inhabitants daily increaſed from the cruelties inflicted by d'Eſcolona the Spaniſh viceroy, upon all the perſons who were ſuſpected of diſloyalty to the duke of Anjou. Tyrannical oppreſſions, added to thoſe awful calamities of nature with which this country was now viſited, exhibit the moſt diſtreſsful ſcenes that occur in the hiſtory of human wretchedneſs [32].

In Lombardy, the army of the emperor ſuſtained an irreparable loſs by the abſence of prince Eugene, whoſe extraordinary talents were not ſupplied by thoſe of count Staremberg, though the latter had the reputation of being an able and experienced general. Neither was the army under him furniſhed with recruits adequate to the waſte it had ſuffered in the laſt campaign, and, being far inferior to that of Vendoſme, could only act upon the defenſive. It was fortunate however, that an uncommon fall of rain and ſnow prevented

[31] Quincy, tom. iv. p. 87. 89. Hiſtoire de Louis, tom. v. p. 514—27.

[32] Several cities were deſtroyed by earthquakes in Abruzzo, and ſome thouſands of the inhabitants buried under their ruins; and not leſs than two thouſand five hundred periſhed in Aquila, the capital.

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the duke from availing himſelf of this advantage, or undertaking any enterpriſe of importance during the winter. All he could accompliſh, was to take St. Benedetto, and to get poſſeſſion of the high grounds, from whence he annoyed the confederate army. When the ſeaſon became more favourable, he ſat down before Berſello with four battalions, which were occaſionally relieved with freſh troops [33]. The fortreſs made a vigorous reſiſtance for four months, but at length being reduced to the greateſt extremity by the rage of diſeaſe and the want of medicine for the ſick, it ſurrendered on capitulation, in conſequence of which, the duke of Modena's country fell into the hands of the French [34]. 1703. 27th July.

The ſubſequent expedition into Trent for the purpoſe of joining the elector of Bavaria, which, had it ſucceeded, muſt have been fatal to the intereſt of the emperor in Italy, proved, in the iſſue, fortunate for that prince, as it occupied a great part of the fitteſt ſeaſon for action, and coſt the duke of Vendoſme ſome thouſands of his beſt troops. After taking the caſtle of Torbole and Nago, and the towns of Riva, and Arco with its fort, he advanced to Trent, and began to bombard the city; but hearing of the direful fate of the elector's army in Tirol, he raiſed the ſiege, evacuated all the places he had taken in Trent, and retreated to the camp at St. Benedetto [35].

The remaining efforts of the duke of Vendoſme were devoted to carrying into execution the vengeance of the French king againſt his revolted ally. After ſeizing and diſarming the duke of Savoy's troops in the French camp, he marched into Piedmont, and laid waſte that country with mercileſs outrage [36].

[33] St. Benedetto, a town in Mantua, near the ſouth ſhore of the river Po. Barſello, in the duchy of Reggio, is ſituated at the conflux of the Lenzo and the Po.

[34] Quincy, tom. iv. p. 146, &c.

[35] Hiſtoire de Louis, tom. v. p. 527. Cunningham, vol. i. p. 339.

[36] Hiſtoire de Louis, tom. v. p. 527. Monthly Mercury, September, October. Theſe troops conſiſted originally of ſix thouſand men in the pay of France, but had been reduced to three or four thouſand. The ſtipulated time of their ſervice having expired, the duke, agreeably to his ſecret treaty with the emperor, intended to recall them. They were ſeized by ſurpriſe, and afterwards diſperſed in ſmall parties through the French provinces. St. Simon, tom. vi. p. 451.

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To return to the hiſtory of the war in Germany, the reunited armies of Villars and the elector, diſappointed of a deſign they had formed of getting poſſeſſion of Auſburg, by the prince of Baden's

5th Sept. having unexpectedly marched to its defence, made a ſudden attack upon a detachment of the Imperial army, commanded by count Stirum, which had croſſed the Danube, near Hochſtet, and obliged

20th. him, after conſiderable loſs, to retreat under the cannon of Norlingen [37].

The duke of Burgundy, aſſiſted by marſhal Tallard, commanded the French army at the Rhine, upon the ſide of Alſace. After having remained long inactive, he inveſted Old Briſach, which ſtood out for a month before it capitulated [38]. The duke, ſatisfied

14th. with the fame of this exploit, returned to Verſailles; and Tallard, upon whom the command of the army now devolved, undertook the ſiege of Landau. The prince of Heſſe advanced from Luxemburg with twenty-ſix ſquadrons and twelve battalions to raiſe the

28th Oct. ſiege, and encamped within four leagues of the city of Spire [39]. He intended to attack the enemy in their lines, and waited only for ten battalions, which he expected to join him the day after his arrival. In the meanwhile, however, the marquis de Pracontal, from the Meuſe, joined Tallard with a reinforcement of twenty-four ſquadrons, before the confederates had any intelligence of his approach. Encouraged by this unlooked-for acceſſion of force, Tallard made a ſudden attack upon the confederates, who were ſo little expecting it, that ſome of the officers were holding a feſtival in honour of the emperor's birth-day at Spire. The prince of Heſſe diſcovered aſtoniſhing compoſure and bravery in rallying his men, and expoſing

25th Nov. himſelf to imminent danger at the head of his grenadiers, which once and again repulſed the French; but ſuperiority of numbers at length prevailed; and, after the loſs of five thouſand men, and many officers of diſtinguiſhed merit, the prince retreated to Dadenhoven,

[37] Hiſtoire de Louis, tom. v. p. 519. Hiſtory of Europe, 1703, p. 406.

[38] Quincy, tom. iv. p. 98.

[39] St. Simon, tom. vi. p. 454.

and

and croſſed the Spirebach [40]. This victory decided the fate of Landau. The count de Frize, deſponding upon the overthrow of the forces which came to ſuccour him, ſurrendered the town upon the ſame conditions which had been granted to Melac by the prince of Baden in the preceding campaign [41]. The ſucceſs of the French in Germany was crowned by the acquiſition of Auſburg, which, after having been bombarded ſeven days, ſurrendered to the elector of Bavaria, upon condition of the garriſon being permitted to retreat to Nordlingen with a ſmall part of its cannon and ammunition [42]. CHAP. II. 1703. November. 15th Dec.

While the events of the war in Germany were generally favourable to France, great ſucceſs attended the arms of the confederates in the Lower Rhine. Rhineberg ſurrendered to count Lettum, lieutenant general of the Pruſſian forces, which opened to the allies the navigation of the Rhine from Cologne to Holland [43]. 7th Feb.

The duke of Marlborough arrived at the Hague early in the ſpring, and, having concerted the plan of the campaign with the States, gave orders for the Britiſh and Dutch troops to aſſemble near Maeſtricht under monſieur Auverquerque, while, with the Pruſſian, Hanoverian, and Heſſian troops, he undertook the ſiege of Bonn [44]. The great preparations made for this ſiege under the direction of general Cohorn, and the prodigious force brought 17th March.

[40] Quincy, tom. iv. p. 127. 129. The French loſt three thouſand men and many brave officers in this engagement.

Moſt of the hiſtorians mention M. Pracontal's junction with M. Tallard as the cauſe of the ſucceſs of the French. Feuquierres cenſures Tallard for having attacked the allies before he was joined by Pracontal; but, as in the deſcription of the engagement he ſays the left wing was led on by Pracontal. I have followed the general account, and am led to conclude, either, that there muſt be ſome miſtake in Feuquierre's deſcription, or that Pracontal had been ſo near, that Tallard had laid his account with being ſupported by him after the engagement commenced. Compare Memoirs of Feuquierres, vol. ii. p. 124. Hiſtoire de Louis, tom. v. p. 521. Annals Anne, 1703. p. 147. Hiſtory of Europe, vol. viii. p. 446.

[41] Hiſtoire de Louis, tom. v. p. 521. Hiſtory of Europe, 1703, p. 448.

[42] Id. p. 480.

[43] Id. p. 116.

[44] The principal city of the biſhopric of Cologne, and the uſual reſidence of the elector.

The troops employed in the ſiege conſiſted of forty battalions of foot, and ſixty ſquadrons of horſe and dragoons; the artillery conſiſted of upwards of a hundred large cannon and thirty-ſix mortars. Lediard, vol. i. p. 146.

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againſt it, enſured ſpeedy ſucceſs. The town was attacked in three different places at the ſame time; one attack was directed againſt the fort on the oppoſite ſide of the Rhine, and the other two againſt the city and the outworks; no leſs than twelve thouſand men being employed in each of theſe attacks. The trenches were opened on the 3d May, the fort was taken by ſtorm, and the town ſurrendered on the 16th; capitulating for the garriſon's being conducted to Luxemburg, with the exception of the German companies, which had the choice of enliſting with the confederates or returning home. The capture of Bonn cleared the Rhine of the French to Philipſburg[45].

Villeroy and Bouflers, who had the joint command of the French army in the Low Countries, took the advantage of the abſence of
9th May. the confederates occupied in the ſiege of Bonn, and advanced towards Tongres, ſix thouſand of the allies being encamped in its vicinity. This little army retreated under the cannon of Maeſtricht; and the garriſon in the town, after a vigorous reſiſtance, was forced to ſurrender at diſcretion[46].

The duke of Marlborough, after the capture of Bonn, returned to the confederate army, that he might ſecure Liege, which the enemy intended to inveſt, and at the ſame time recover Tongres. Villeroy, upon his approach, abandoned Tongres, and eluded every attempt for bringing him to an engagement till he got within his lines. There remained therefore no proſpect to the duke of obtaining any deciſive advantage, but by forcing the enemy's entrenchments, which were ſtrong and extenſive, running from Namur to Antwerp, and covering the whole frontier of the Spaniſh Netherlands[47]. The conducting of this hazardous ſervice was committed to baron Spaar, and generals Cohorn and Obdam, who were directed to make the
27th June. attack on the ſame day in three different places, namely, oppoſite

[45] Monthly Mercury, May. Lediard, vol. i. p. 147, &c.
[46] Quincy, tom. iv. p. 9. Lediard, vol. i. p. 152.
[47] Kane, p. 42.

to Steken, Liefkenſhoek, and Antwerp. Baron Spaar and general Cohorn ſucceeded. But the attempt of Obdam was defeated by an unexpected attack made upon him in his head-quarters at Eckeren, by Bouflers, who had been detached there. After ſuſtaining a conſiderable loſs of men, Obdam fled with great precipitancy to Lillo. His fears had magnified his danger, for, after his flight, general Sclangenburg, who commanded the Dutch, rallied the flying troops, and renewed the engagement with ſuch bravery, that the enemy were forced to give way [48]. 1703.

After the battle of Eckeren, the duke of Marlborough advanced towards the enemy's camp at St. Job, expecting to bring them to a general engagement, which, it ſoon appeared, they were determined to avoid; and the Dutch deputies again oppoſing his forcing their lines, he inveſted Huy and Limburg, which were taken without any conſiderable loſs of men [49]. Auguſt. September.

Guelders, which had ſuſtained a blockade for fourteen months, ſurrendered to the Pruſſians on the 17th December [50].

By theſe ſeveral advantages, the allies obtained the entire poſſeſſion of the Spaniſh provinces of Guelderland and Limburg, and the Dutch were made ſecure on every ſide except Brabant.

The operations of the fleets of the allies were generally unſucceſsful and inglorious during this campaign.

Colonel Moor, the governor of Charleſtown in South Carolina, had failed in an attempt to blockade St. Auguſtine on the coaſt of Florida, belonging to the Spaniards [51]. Depredations were committed by the Engliſh near Carthagena, and at Trinidad in Terra Firma [52]. March.

An expedition againſt Guadaloupe was conducted by colonel Codrington, governor of the Leeward Iſlands, the effects of which

[48] Quincy, tom. iv. p. 21, &c. The accounts of this engagement, given by the confederates and the French, are a direct contradiction to each other. Compare Hop's letter to the States, 30th June, with the letter from the French camp, 1ſt July. Hiſtoire de Louis, tom. v. p. 504. Quincy, tom. iv. p. 21. Lediard, vol. i. p. 159.

[49] Id. vol. i. p. 168.

[50] Id. p. 177.

[51] Tindal, vol. v. p. 237.

[52] Id. p. 239.

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were deſtructive to the enemy, rather than profitable for the Engliſh. The town and fort of Baſſe Terre were taken: the town was burnt, the fort razed to the ground, and the plantations and crop deſtroyed; but upon the approach of the French fleet, Codrington abandoned his conqueſt, and ſailed to Jamaica[53].

Vice-admiral Graydon was ſent to the Weſt Indies with four ſhips of the line and ſeveral tranſports, to collect what forces could be ſpared from the iſlands, for the purpoſe of attacking Placentia, and expelling the French from the Newfoundland trade; but his inſtructions having tranſpired, he found Placentia ſo well defended, that he did not even make any attempt upon it[54].

Sir George Rooke had propoſed ſailing early in the ſeaſon into the Bay of Biſcay, to ſurpriſe ſome of the French ſhips on the coaſt of Spain; but he was ordered by the miniſtry to wait for the Dutch fleet, which did not arrive at the time expected; and retiring afterwards from the ſervice on account of his bad health, the expedition was laid aſide[55]. After ſir George retired, the command of the grand fleet was conferred on ſir Claudſley Shovel.

The ſeveral objects which it was deſtined to accompliſh, were, to protect the coaſts of Portugal, to make a deſcent on the coaſt of Spain, and to ſuccour the inſurgents in the country of the Cevennois, whoſe ſufferings on account of their religion recommended them to the peculiar favour of the proteſtant allies[56]. In proſecution of theſe deſigns, a fleet, conſiſting of thirty Engliſh and fourteen Dutch men of war, ſailed from Spithead in the beginning of July, and arrived at Liſbon on the 24th[57]. After remaining a few days

[53] Lettres Hiſtoriques, Aug. 1702, a la Hay.

[54] Id, 23d May. Lives of the Admirals, vol. iii. p. 52. Admiral Graydon, in his way to the Weſt Indies, fell in with a part of the ſquadron under the command of monſieur Du Caſſé, but did not attempt to engage it, for which he was cenſured by the houſe of lords, 23d March 1704. It appears, however, from the opinion of the Admiralty-board, that he had acted according to the beſt of his abilities, and agreeably to his inſtructions. Lives of the Admirals, vol. iii. p. 53.

[55] Lives of the Admirals, vol. iii. p. 39. Tindal, vol. v. p. 305.

[56] Monthly Mercury.

[57] The failure of ſir Claudſley Shovel, in the accompliſhment of thoſe objects for which he

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days on the Portugueſe coaſt, it directed its courſe to Altea bay, where it received his catholic majeſty on board, and ſailed to Barcelona. But, notwithſtanding of this aſſiſtance profered to the friends of the archduke, few appeared diſpoſed to ſupport his cauſe, and therefore the fleet ſailed to Leghorn, where it arrived on the 3d September. Upon leaving Altea bay, the Pembroke and Tartar men of war were detached to the gulf of Lyons with arms and ammunition intended for the Cevennois, ſome French refugees and pilots being on board. When they entered the gulf, they made ſignals to the inſurgents; but the marſhal de Montrevel having brought a force to overawe them, the ſignals were not anſwered; and it being dangerous to keep the ſea at that ſeaſon, the Pembroke and Tartar ſet ſail for Leghorn, where they joined the reſt of the fleet[58]. 18th Sept. 23d Sept.

Sir Claudſley Shovel ſailed from Leghorn on the 22d October, and having detached ſome ſhips of war to Tunis, Tripoly, and Algiers, for renewing peace with theſe ſtates, he returned to Altea bay, where ſome of the Spaniards offered their ſervices to king Charles, and ſetting ſail in a few days, he arrived in the Downs on the 17th November[59].

The moſt meritorious ſervice at ſea, in the courſe of this campaign, was performed by rear admiral Dilkes, who ſailed from Spithead on the 22d July, in purſuit of a fleet of French merchantmen with their convoy; on the 26th he came in ſight of them at anchor, about a league to the weſtward of Granville; took fifteen ſail, burnt ſix, and ſunk three. When the larger ſhips could not ſafely purſue the reſt of them which ſtood farther into the bay, he

he was ſent out, was imputed in a great meaſure to the backwardneſs of the Dutch fleet, which did not join him till the end of June; and, after all, fell ſhort of the number of ſhips promiſed by them; ſo that both his force and the time allowed him for this ſervice, for he was to return before the end of September, were inadequate to the deſigns projected.

58 Lives of the Admirals, vol. iii. p. 41.

59 The archduke was proclaimed king of Spain at Vienna on 14th September, by the title of Charles III. which was notified to ſir Claudſley Shovel, upon his arrival at Leghorn, by the Imperial ambaſſador at the court of Rome.

diſpatched

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diſpatched a fire ſhip, with ſome ſmall veſſels and the boats manned, which completed his ſucceſs. Two ſhips of war were burnt; one of eighty guns was brought off, ſeventeen merchantmen were deſtroyed, and of the whole fleet, four only eſcaped by getting under the protection of Granville fort [60].

[60] Lives of the Admirals, vol. iii. p. 43.

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Circumſtances tending to diminiſh the Influence of the Tories.—Second Seſſion of Parliament.—The Queen's Speech.—The Bill againſt occaſional Conformity paſſes in the Houſe of Commons—is rejected by the Lords.—Reſolution of the latter to take into their own Hands the Examination of ſeveral Perſons apprehended on the Suſpicion of a Conſpiracy.—The Commons remonſtrate.—Both Houſes addreſs the Queen upon it.—Reflections.—Reſult of the Examinations carried on by the Lords.—The Caſe of Aſhby and White.—Diſputes between the two Houſes on the Pretenſions of the Commons to an excluſive Judgment in Caſes of Election.—The Commons cenſure judicial Proceedings of the Lords.—Inquiry into the Condition of the Navy.—Remonſtrances of the Lords againſt admitting, into the Commiſſion of Peace, Perſons who had not taken the Oaths to King William.—Supplies.—Account of a remarkable Storm.—Act for augmenting the ſmall Livings of the Clergy.—Campaign 1704.—Effects of the War with reſpect to the allied Powers ſeverally.—Dangerous Situation of the Emperor's German Dominions.—Preparations of the Duke of Marlborough for relieving them.—He defeats the Count d'Arco at Schellenberg.—M. Tallard joins the Elector of Bavaria,—and the Duke of Marlborough, Prince Eugene.—Advantageous Situation of the French and Bavarians in the Plain of Oberklaw.—Battle of Hochſtet, or Blenheim.—Siege of Landau.—Brave Conduct of Laubanie the Governor.—It ſurrenders.—Treves and Trearbach taken by the Confederates.—Bavaria ſurrendered to the Emperor by the Electreſs.—

Backwardneſs

Backwardneſs of the Portugueſe in performing their Engagements to the Allies.—Succeſs of the French and Spaniards in Portugal.—The Earl of Galway arrives there, and turns the Tide of Succeſs.—Campaign in Italy.—The Duke of Savoy reinforced by General Staremberg.—Advantages gained by the Dukes de la Feuillade and Vendoſme.—The Cevennois reconciled to the French King.—Diſturbances in Poland.—Succeſs of Admiral Dilkes on the Coaſt of Portugal.—Sir George Rooke makes an unſucceſsful Attempt upon Barcelona,—but takes Gibraltar.—Engages the French Fleet in the Mediterranean.—Gibraltar inveſted by the French and Spaniards.—Relieved by Sir John Leake.—The Duke of Marlborough makes a Viſit to the Court of Pruſſia.

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THE general tenor of the proceedings in the laſt ſeſſion of parliament, as well as the private inclinations of the ſovereign, ſeemed to enſure the eſtabliſhed and growing influence of the Tories. The bill againſt occaſional conformity, calculated for fixing their radical ſuperiority in every part of the kingdom, was loſt only by a ſingle vote in the houſe of lords. The current of promotions ſtill run ſtrong in their favour, and cheriſhed their hopes of obtaining, from the exertion of the prerogative, a majority in that houſe, and of removing every obſtruction in future to their favourite meaſures [1].

Notwithſtanding theſe apparent advantages, many circumſtances now conſpired to alienate the leaders in the adminiſtration from the counſels of the Tories; and to moderate that ardour of attachment by which the ſovereign had hitherto diſtinguiſhed them. The mutinous diſpoſition of the people in Scotland, and the unſettled ſtate of the ſucceſſion there, together with the pretenſions of a rival to the crown, ſupported by the arms of France, portended the approach of internal dangers, which the ſucceſs of the Britiſh arms on

[1] Four new peers were created ſoon after the laſt prorogation of parliament, all of them in the Tory intereſt; and this gave the greater alarm, becauſe it had been thrown out in the houſe of commons, upon the oppoſition of the lords to the bill againſt occaſional conformity, that it would be eaſy to find a remedy, alluding to the interpoſition of prerogative. Tindal, vol. v. p. 218.

the

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the continent could not prevent. From late diſcoveries which had been made to the miniſtry in Scotland, it appeared, that a plot had been carrying on for ſubverting her majeſty's authority; that ſeveral perſons, who were at the head of the moſt powerful clans in the Highlands, had entered into it, and only waited for foreign reinforcements to make an open declaration in behalf of the pretender[2]. Alarmed with intelligence which ſo nearly concerned her own ſafety and honour, the queen now became more cautious about degrading and irritating that party, which was diſpoſed to co-operate in every meaſure for ſtrengthening the proteſtant ſettlement, interwoven at this critical moment with her own perſonal intereſt.

The duke of Marlborough, now in the meridian of favour, and ſeconded by lord Godolphin, who was entirely ſubſervient to his intereſt, did not omit ſo favourable an opportunity for working upon the fears of the queen, in order to undermine the influence of the Tories, whoſe leaders were envious of his proſperity, and averſe to that ſyſtem of public meaſures, which both the ambition and the intereſt of the duke led him to purſue[3]. The effects of the circumſtances now recited, with reſpect to the ſtate of parties, and the diſpoſition and influence of the court, were conſpicuous through the whole ſeries of buſineſs purſued in the enſuing ſeſſion of parliament, which opened on the 9th of November 1703.

Her majeſty informed both houſes of the treaty ſhe had made with the king of Portugal, and of the duke of Savoy's having declared war againſt France; and ſaid that as theſe fortunate events had been promoted by their cheerfulneſs in ſupporting the war, ſo they afforded the proſpect of bringing it to a ſpeedy concluſion. She ſolicited ſupplies to defray the neceſſary charges of the army and navy, and to pay the ſubſidies promiſed to her allies. She expreſſed her earneſt deſire of ſeeing all her ſubjects united among themſelves;

[2] See Chapter IX.

[3] Conduct of the Ducheſs of Marlborough, p. 141.

and

and requeſted them to avoid thoſe heats and animoſities, which would diſappoint her of that ſatisfaction, and give advantage to the common enemies of church and ſtate. The words, with which her majeſty concluded, were obviouſly intended as a public renunciation of thoſe ſentiments with reſpect to the queſtion of occaſional conformity, which ſhe had formerly declared to her miniſters, and alluded to in her ſpeech at the cloſe of the laſt ſeſſion. CHAP. III. 1703.

Correſponding with the prevailing diſpoſition of the two houſes, was the ſpirit of their ſeparate addreſſes in anſwer to the royal ſpeech. The commons promiſed *to avoid heats and diviſions*; and the lords not only to *avoid*, but to *oppoſe* whatever might have any tendency to create diſquiet or contention among her ſubjects [4].

The journals of this ſeſſion are chiefly filled with the detail of contentious and angry diſputes which ſubſiſted between the two houſes. Diſtruſt and reſentment, from which neither were free, rendered both acutely jealous of their reſpective privileges, and precipitate in aſſigning the moſt diſhonourable motives to the meaſures which each of them ſeverally purſued. Deliberations upon affairs of the greateſt national moment gave place to paſſionate recriminations, and to elaborate addreſſes and repreſentations, framed for obtaining the approbation of the ſovereign and the favour of the people, to the prejudice of their antagoniſts.

The Tories loſt no time to introduce their favourite bill againſt occaſional conformity. But, notwithſtanding the mitigation of its penalties, and other important amendments, in order to remove thoſe objections which had obſtructed its ſucceſs in the preceding ſeſſion, it encountered a violent oppoſition in the houſe of lords, and was rejected, after the ſecond reading, by a majority of thirteen votes. Its friends were not more mortified with this repulſe, than they were with the change of popular ſentiment, teſtified upon that occaſion by the tumultuary rejoicings of the London citizens [5]. 25th Nov.

[4] Journals Lords, 9th; Journals Commons, 11th November.

[5] Annals Anne, 1703. p. 189.

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The moſt intereſting diſpute between the two houſes aroſe from the information communicated to them by the queen in perſon, concerning ill deſigns, which had been carried on by the emiſſaries of France againſt the peace of the kingdom. The ſuppreſſion of a ſubject of ſo alarming a nature, at the opening of the ſeſſion, and the reluctance and reſerve of her miniſters in imparting to the two houſes the information which they had themſelves obtained, excited a general ſuſpicion of their having been deficient in vigilance and activity; and of their being ſtill unwilling to proceed in this buſineſs with diligence and vigour adequate to the magnitude of impending danger[6].

1703, 4. The commons, with an unreſerved confidence in the wiſdom and fidelity of her majeſty's miniſters, were inclined to leave this affair entirely in their hands. The lords, very differently impreſſed by the circumſtances already mentioned, appointed a committee of their own members, to proceed in the examination of thoſe perſons who had been apprehended by her majeſty's meſſengers. To apologize, in ſome meaſure, for the precipitancy of this reſolution, they thanked her majeſty for her promiſe to communicate to them every information ſhe received concerning the deſigns of her enemies, and expreſſed hopes that their zeal would be acceptable to her, and contribute to the public ſecurity[7]. The other houſe, upon hearing of this reſolution, appointed a committee of their members to ſearch the journals of the lords for precedents in ſimilar caſes, and after hear-

23d Dec. ing their report, preſented an addreſs to her majeſty, remonſtrating againſt the conduct of the lords, as diſreſpectful to her majeſty's miniſters, and injurious to her own prerogative[8]. The lords alſo complained

[6] A ſtrong ſuſpicion prevailed at this time, that the queen was not fond of carrying on proſecutions againſt any of her ſubjects, on account of their connexion with her brother. Guthrie's Hiſtory, vol. x. p. 357. Lond. 1767.

[7] Journals Commons, 21ſt December, paſſim. Journals Lords, 17th, 18th, 20th Dec.

[8] The lords, upon ſearching their journals, found no leſs than fifty caſes which they conſidered as precedents in the preſent buſineſs. Journals Lords, 28th March. The commons indeed made a diſtinction; they did not deny, that the lords had a power of taking into cuſtody, perſons accuſed of criminal matters; but

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1703, 4. 13th, 14th, 17th Jan. 28th March. 21st Feb.

complained to the queen of the injuſtice of the charge brought againſt them by the other houſe; and vindicated their right of interfering in criminal matters, and the ſalutary effects of their exerciſing it in the preſent caſe. This repreſentation of the lords was ſoon followed by another from the commons, which was not more exceptionable for its reproachful animadverſions on the conduct of the former, than for the fulſome adulation it paid to the perſon and authority of the ſovereign.

The behaviour of the queen during this conteſt was no doubtful indication of the declining influence of the Tories in the cabinet. Although the general ſtrain of the addreſſes of the lower houſe, dictated by the leaders of that party, muſt have been more ſoothing to royal ears, yet were they not diſtinguiſhed by any marked teſtimony of her majeſty's approbation. The evils which might ariſe from accelerating examinations, and pre-occupying the duty of miniſters, were ſometimes hinted at in her anſwers to the lords; but as they perſevered in following up their reſolutions, the queen received the alternate and counter-repreſentations of both

but denied that they had any right to examine the priſoners of the crown without her majeſty's conſent.

The final reſolution of the lords was, that it appeared to them, that there had been a dangerous conſpiracy carried on for raiſing a rebellion in Scotland, and invading that kingdom with a French power, in order to bring in the pretended prince of Wales. Journals Lords, 22d March.

The evidence upon which the lords founded their judgment, conſiſted of the examinations of the ſuſpected perſons, and of ſome of their correſpondents who reſided at Paris, of intercepted letters of captain Fraſer's, and of gibberiſh letters, addreſſed to ſome Scottiſh noblemen in the intereſt of the pretender.

From comparing attentively theſe ſeveral grounds of evidence, it appears, that great diſagreement ſubſiſted among the friends of the pretender, both at St. Germains and in Scotland; that the court of St. Germains entertained the hopes of being ſerved by ſome perſons of rank in Scotland, but that theſe were founded upon the conſtruction put upon their conduct in parliament, rather than upon any explicit aſſurances from themſelves; that, though a few of the nobility and gentry in Scotland might have been pleaſed with the reſtoration of the lineal heir, yet no plan had been as yet concerted for that purpoſe, and that Fraſer's information to the court of St. Germains, was altogether unfounded. See Colin Campbell's Declaration, Dec. 21, 1703, in the collection of papers about the Scottiſh plot, p. 21. London 1704. See alſo Chapter IX.

CHAP. III. houſes with equal expreſſions of her ſatisfaction, and confidence in their loyalty and attachment [9].

1703, 4. In order to judge impartially concerning the conduct of individuals, or parties, who have taken a warm ſide in queſtions of conſtitutional importance, we ought to diſtinguiſh between the propriety of moving ſuch queſtions [10], and the opinions delivered on their intrinſic merit after they have been brought forward. Admitting the jealouſy which the lords entertained of the proceedings of the miniſters reſpecting the plot to have been unfounded and premature, yet, from the moment the commons impugned the right of the upper houſe to interfere in criminal buſineſs, it became an indiſpenſable duty to vindicate and exerciſe it. Were not ſuch a power veſted in both members of the legiſlature ſeparately, the reſponſibility of miniſters would be abrogated, and it would require no great ingenuity to ſuperſede inquiry, and ſtifle the evidences of delinquencies to which they themſelves had been acceſſory.

Eager as the commons were to combat the upper houſe in every point that could afford any handle for diſpute, and indignant on account of the ſmalleſt apparent diſreſpect to the regal authority, it was not to be expected that they would endure any infringement of their own peculiar privileges, or enter with coolneſs upon the examination of any queſtion connected with that ſubject. A recent deciſion of the lords in a cauſe originating at the general election furniſhed the commons with appropriate ground of complaint, and proved the occaſion of heightening and prolonging the animoſity which ſubſiſted between the two houſes. Matthew Aſhby,

[9] Journals Commons, 21ſt paſſim, 29th February, 3d March. Journals Lords, 18th January.

[10] It may be fairly admitted, that the miniſters, however earneſt in proſecution of the plot, might have ſufficient reaſons for poſtponing the diſcoveries which they had made. By giving an alarm to ſome of the guilty perſons or their friends, it might have prevented that acceſſion of evidence which was neceſſary to convict the former. This reaſon was aſſigned by the earl of Nottingham, 19th February and 6th March, for keeping back a part of the papers from them. Some of the papers, namely, the letters to Kleth under the fictitious name of Smith, were not communicated to him, till after the lords had taken the examination into their own hands.

a voter

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a voter in the burgh of Aylesbury, had brought an action against the constables for refusing to take his vote. The cause was tried at the assizes in Buckinghamshire, and the constables were cast with damages. In arrest of judgment, it was moved in the queen's bench that the action *did not lie*, which was admitted, and a sentence was given for the defendants. The plaintiff brought a writ of error against this sentence, and the cause was argued at the bar of the house of lords, who found, agreeably to the opinion of a plurality of the twelve judges, that the decision of the queen's bench was wrong; and that the plaintiff had a just ground of action at common law. The judicial interposition of the lords, in this instance, was considered by the commons, to be such an insolent and daring usurpation of their established rights, as required a more effective resistance than that of argument and remonstrance. They resolved, not only, that the plaintiff had been guilty of a breach of the privilege of the house, by resorting to common law, but that every person, who had assisted in his cause, was involved in the same guilt [11]. The house of lords, on the contrary, maintained the competency of their own jurisdiction in this and all similar cases, and condemned the power assumed by the commons, as tending to control the law and impede the course of justice.

1703, 4.

14th June.

27th March.

Not satisfied with standing upon their own defence, the commons retaliated by directing their censure against other judicial proceedings of the house of lords. They resolved, that the upper house had exceeded its power, and introduced a precedent dangerous to the constitution, by overruling an order of the exchequer in compliance with a petition from one of its own members [12].

The

[11] Journals Commons, 26th January. This prosecution was carried on at the instigation and expence of the earl of Wharton. Life of Wharton, p. 44, 50. London 1715.

The constables acted under the direction of sir John Packington, who had the management of the burgh; and as he had hitherto been a successful supporter of the Tory candidates, the house of commons, of which the major part was in the same interest, interposed in behalf of the constables, under the pretence of zeal for privilege.

[12] Journals Commons, 28th January. The commons resolved, that the lords had acted illegally

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1703, 4. The prevailing animoſities between the two houſes prevented the continuation of the commiſſion for examining the public accounts, the lords having objected to one of the commiſſioners inſerted in the bill by the commons, and the latter inſiſting on their excluſive right to judge in every queſtion concerning the revenue [13].

29th Feb. An inquiry was inſtituted by the lords into the condition of the navy, which terminated in an addreſs to the queen, ſpecifying various inſtances of miſmanagement; and complaining of the miſconduct of admiral Graydon, who was diſmiſſed from her majeſty's ſervice [14].

31ſt March. Agreeably to that reſpect, which the lords had uniformly profeſſed for the memory of king William, they remonſtrated to the queen againſt admitting into the commiſſion of the peace any of thoſe perſons who had declined taking the oaths to him; and entreated that ſuch only as were known friends to the proteſtant ſucceſſion might be intruſted with an office eſſential to the ſafety of the conſtitution and the fair diſpenſation of juſtice [15].

27th Nov. The commons granted ſupplies with great liberality, and provided for the pay of the additional forces which had been voted the preceding ſeſſion [16]. The ſudden deſtruction of a great number of ſhips

gally by taking cognizance of a petition of lord Wharton, complaining of an order of the court of exchequer, 15th July 1701, for filing the record of a ſurvey of the honour of Richmond in the county of York, and that it tended to ſubject the rights and properties of all the commons of England to illegal and arbitrary power. Journals Commons, 28th January.

The lords reſolved, that ſuch interference on the part of the commons, was an uſurpation of a judicature to which they had no pretence. Journals Lords, 27th March.

[13] Journals, Lords and Commons, Feb. March, paſſim. The lords expunged the name of Mr. Bierly, becauſe he had not cleared the accounts of his own regiment. They put another in his place, and added two more, who were not members of the houſe of commons.

[14] Beſides the alleged miſconduct of the admiral for not fighting four French ſhips, which he met with in his paſſage to the Weſt Indies, a complaint was entered againſt him by the Jamaica merchants, for his diſorderly proceedings, by preſſing a great number of the ſeamen and inhabitants of Jamaica, and for his ſevere uſage of the maſters of the ſhips under his convoy. Journals Lords, 23d March.

[15] Sir Nathan Wright, the lord-keeper, being a zealous Tory, had taken great liberty in moulding the commiſſions of the peace according to the inclinations of his own party. Conduct of the Ducheſs of Marlborough, p. 147.

[16] The total of ſupplies this ſeſſion amounted to four millions two hundred and twenty nine thouſand, eight hundred and ſixty-ſix pounds, eighteen ſhillings, and eleven pence.

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belonging to the royal navy, by a dreadful ſtorm on the coaſt of England, required an enlargement of the ſupply, which the commons cheerfully granted; and at the ſame time recommended to her majeſty the making a proviſion for the families of the ſeamen who had periſhed in the ſtorm [17].

Although the conduct of the queen, in withdrawing her ſupport from the bill againſt occaſional conformity, had diſappointed the expectations of violent churchmen; yet her attachment to the eſtabliſhment had not abated, and her kindneſs to its miniſters was more wiſely diſplayed by a renunciation of her right to the firſt fruits, to be applied in future for augmenting ſmall livings. Her majeſty made choice of the anniverſary of her birth-day for recommending to the commons the neceſſary ſteps for making effectual her benevolent intentions to the clergy; and they loſt no time in perfecting a work ſo agreeable to their own inclinations [18]. 7th Feb.

On

[17] This ſtorm began at eleven o'clock in the evening of the 26th November, and continued till ſeven next morning, the wind blowing W. S. W. During the intervals of the moſt violent guſts of wind, a ſound was heard like that of diſtant thunder, accompanied with vivid flaſhes of lightning. Many chimneys and roofs of houſes were blown down, and ſeveral entire buildings levelled with the ground. A prodigious number of trees were torn up by the root; and ſome of the largeſt ſize were broken off in the middle. Some maſſy ſpires were driven from the ſteeples; and the lead which covered the tops of houſes and churches, was rolled up like ſcrolls of parchment, and carried to a great diſtance. Many families were cruſhed under the ruins of their own houſes, and multitudes bruiſed and wounded. A great number of veſſels was loſt upon the coaſt, and in the channel; and at London Bridge, the river was dammed up with the wreck of barges and boats. Sixteen ſhips of the navy were loſt. As ſome of theſe were in the harbours, the loſs of lives, amounting in all to one thouſand five hundred and nineteen, was not ſo conſiderable as might have been expected from the number of ſhips. The effects of this ſtorm were little felt in the northern parts of England.

[18] Journals Commons, 7th February. By this act, the queen was empowered to incorporate ſuch perſons as ſhe thought fit, and to ſettle upon them the firſt fruits of all benefices, for the maintenance of the miniſters of the church of England not ſufficiently provided for. This corporation was alſo qualified to receive eſtates and goods from other perſons, for the ſame pious end.

The firſt fruits, or the firſt year's whole profits of the benefice, and the tenths, or the tenth part of the annual produce according to a valuation made in the reign of Edward III. were originally impoſed by the pope upon the beneficed clergy, for the purpoſe of ſupporting the holy war; and after that pretext ceaſed, it became a ſtanding branch of the papal revenue. When Henry VIII. began the reformation, he remitted this tax, as a lure to gain the ſupport of the clergy; but his rapacity, the primary incentive of his zeal, rendered

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1703, 4.

On the 3d of April, her majeſty came to the houſe of peers, where the commons attended. She thanked both houſes for their zeal in ſupporting the war; and the commons particularly for their diſpatch and liberality in granting the ſupplies; but regretted that her recommendations to unity had not been entirely complied with; after which the parliament was prorogued.

Some important changes in the miniſtry took place at the end of this ſeſſion, which publiſhed to the nation the declining intereſt of the Tories [19].

Campaign 1704.

The Netherlands had been hitherto the buſieſt ſcene of the war; and the ſucceſs, obtained there, redounded chiefly to the benefit of the United States. Their frontiers were enlarged, obſtructions to their trade removed; and from the repair and extenſion of their fortifications, they were now placed in a condition to defend themſelves, with an inferior force, againſt the incurſions of the French troops.

Of all the members of the confederacy, the ſituation of the emperor was the moſt critical and perilous. The elector of Bavaria was

9th Jan.

maſter of the Danube as far as Paſſau, which he had taken while the Germans were in winter quarters. Some of the members of the Germanic body were wavering and of doubtful fidelity; and the aſſiſtance of the reſt was tardy, and reſtricted, and nowiſe adequate to the impending emergency of his affairs. Prince Ragotzki, at the head of the Hungarian inſurgents, had been ſucceſsful in ſeveral conflicts with the Imperial troops; had got poſſeſſion of many forts

rendered him incapable of foregoing any pecuniary advantage ſanctioned by the example of the Roman ſee; and he afterwards obtained an act of parliament for transferring the firſt fruits to the royal revenue. All the livings, in number five thouſand five hundred and ninety-ſeven, under fifty pounds per annum, were exempted from the payment of firſt fruits and tenths. The amount of this bounty is calculated to be eleven thouſand pounds per annum. Blackſtone's Commentaries by Chriſtian, vol. i. p. 286.

[19] The earl of Nottingham reſigned his office of ſecretary of ſtate, which was conferred upon Mr. Harley. Mr. Blaithwait was removed from the poſt of ſecretary at war, and ſucceeded by Mr. St. John. The earl of Jerſey was diſplaced, and the earl of Kent recalled to the office of chamberlain. Sir Thomas Manſel ſucceeded ſir Edward Seymour as comptroller of the houſehold.

and

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and towns on the Eaſt frontier of Germany, and threatened to carry his arms to the metropolis of the empire [20].

The alarming condition of the Imperial dominions was preſſingly recommended, by the emperor's ambaſſador, to the conſideration of the court of England, upon whoſe power and activity he chiefly depended for deliverance [21]. The duke of Marlborough, who may now be regarded as prime miniſter, as well as captain-general of England, was fully perſuaded of the importance of employing the ſtrength of the combined forces in the heart of Germany during the enſuing campaign, and of compelling the French to evacuate the territories of the elector of Bavaria. The plans formed for accompliſhing this deſign, he prudently concealed till the very eve of execution, leſt they ſhould be counteracted by the preparations of the French generals, or oppoſed by the aſſembly of the States, ever jealous of the ſmalleſt preference given to the German intereſt. Nay, he artfully decoyed the former into a miſapplication of labour, and diverted their forces from the quarter deſtined for his operations, by directing the great body of the confederate troops to march to the Moſelle, and ſpreading reports of his intention to invade the French frontiers on the ſide of Lorrain [22].

The duke ſet out from the Hague 5th May, and, paſſing through Utrecht and Ruremond, came to Maeſtricht, where the grand army was collected. He gave orders for all the auxiliary troops which could be ſpared from the garriſons, to march to Coblentz, at the confluence of the Rhine and Moſelle; and following them there, he communicated to monſieur d'Amilo, envoy extraordinary from the States, and to count Ratiſlaw, the Imperial ambaſſador, who had viſited the camp on his return from London to Vienna, his deſign of joining the army of the prince of Baden, and of penetrating into

25th May.

[20] Hiſtory of Europe, vol. ix. p. 77. Monthly Mercury, September, October, November, December, 1703.

[21] Memorial of Ratiſlaw preſented to the queen 2d April 1704.

[22] Kane, p. 43. The duke communicated his plan of the campaign only to the queen, the treaſurer, and the grand penſionary.

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1704. 23d June. Bavaria. For this purpoſe he croſſed the Rhine, the Maine, and the Neckar, and advancing towards the Danube, through an immenſe track of country, joined the Imperial army under the prince of Baden at Weſterſteten; after which, the combined armies approached within two leagues of the camp of the elector of Bavaria; and, continuing to march in ſight of his entrenchments at Dillingen, 1ſt July. encamped at Amerdingen and Onderingen[23]. From thence the duke advanced with a part of his army to attack the count d'Arco, who was poſted with eighteen thouſand men at Schellenberg, a riſing ground near Donawert, where he was carrying on ſtrong entrenchments for oppoſing the Imperial army in their progreſs to Bavaria. On the 2d of July, the Engliſh and Dutch infantry began the attack upon theſe entrenchments; and at firſt met with ſo warm a reception, that they were ſtaggering and loſing ground, when, fortunately, a reinforcement of ſome German battalions, commanded by prince Lewis and general Goor, arrived; after which the enemy was repulſed with great ſlaughter, and the entrenchments taken. Count d'Arco fled with the greateſt part of his army towards the Danube, and a bridge, over which they were paſſing, breaking down, many were drowned in the river; and the reſt of them eſcaped into the woods near Neuburg[24]. In conſequence of this defeat the Bavarians were forced to evacuate Donawert and Neuburg; Rain and Fridberg ſurrendered to the confederates after a ſhort reſiſtance, and Aich was taken by ſtorm[25].

Overtures were now propoſed by the duke of Marlborough to the elector of Bavaria, with the view of ſeparating him from the French;

[23] Lediard, vol. i. p. 190. 197. The allied armies now amounted to eighty thouſand men. The elector's army, and the French, which had joined them at Dillengen, did not exceed ſeventy thouſand, but were ſoon augmented to a ſuperiority by a reinforcement under Tallard. Kane, p. 44. Military Hiſtory of Marlborough, p. 56.

[24] Kane, p. 44. Lediard, vol. i. p. 209. Quincy, tom. iv. p. 252, &c. The enemy loſt ſix thouſand men in this engagement, and the confederates had above five thouſand killed and wounded; in which number were many brave officers; and generals Goor and Beinheim, in the Dutch ſervice. Lediard, vol. i. p. 217.

[25] Idem.

but,

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but, though he ſeemed to liſten to them with a favourable ear, he only meant to amuſe the confederates; and finally rejected all terms of reconciliation when he heard of the approach of the marſhal Tallard with a freſh army to his aſſiſtance [26]. Notwithſtanding the vigilance of prince Eugene, this reinforcement had made its way through the Black Foreſt, and being joined by the elector near Ulm, rendered the united armies of the French and Bavarians ſuperior to thoſe of the duke of Marlborough and prince Lewis. This event ſuggeſted to the duke the neceſſity of joining prince Eugene, who was in danger of being overwhelmed by a ſtronger force, while prince Lewis was carrying on the ſiege of Ingolſtadt [27].

1704.

5th Aug.

8th.

The day after the confederate armies had joined and encamped at Munſter, they were informed that the French and Bavarians had reached the plain of Oberklaw, and were occupied in fortifying the adjacent eminence of Hochſtet. The ground was ſingularly advantageous for an encampment, having, on the right, the Danube and the village of Blenheim, on the left, the wood of Schellenberg, and in front, a large valley, which extended to the diſtance of two leagues, in which were diſperſed a few villages, capable of fortification. It was alſo interſected by ſeveral rivulets which run from the mountains. Theſe were, in ſome places, hemmed in by ſteep banks, and, in others, by overflowing the plain, they formed a ſort of meadow or marſhy ground, where they diſcharged themſelves into the Danube [28].

[26] Barré, tom. x. p. 447.

[27] The principal magazines of the elector were at Ingolſtadt; and it would have been dangerous to have attacked his army entrenched under the cannon of Auſburg. It was fortunate that the duke found ſo plauſible a pretext for detaching the prince of Baden, who, from his advanced years, had grown averſe to that boldneſs of enterpriſe which the preſent ſtate of the war required; and being a bigoted papiſt he did not act cordially with proteſtant allies. It had been agreed that the duke and the prince ſhould alternately preſide in the confederate camp, which would probably have been productive of diſcord, and might have prevented the duke's project of attacking the French and Bavarians at Blenheim, which was afterwards crowned with ſuch illuſtrious ſucceſs. Barré, tom. x. p. 445. Kane, p. 47.

[28] Kane, p. 49. Quincy, tom. v. p. 268, &c. Military Hiſtory of Marlborough, p. 58.

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The obvious advantages, accruing to the enemy from a poſition which would be daily made ſtronger, furniſhed the duke of Marlborough with powerful reaſons for running great hazards to bring them to a general engagement with the utmoſt poſſible expedition. His own army was in high ſpirits from the victory it had obtained at Schellenberg, and from being reinforced by a junction with prince Eugene. Retaining their preſent encampment, which would ſoon be made impregnable, the enemy had it in their power to lay waſte a great part of the neighbouring circle of Franconia, and to prevent the confederate army from obtaining ſupplies of forage and proviſions, which already had grown ſcarce; and by acting in concert with the marſhal Villeroy, who was advancing to the country of Wirtemberg, they might eſtabliſh a free communication between the Rhine and the Danube, and reduce all the country as far as the Maine [29].

In order to underſtand the diſpoſitions made by the duke of Marlborough for attacking the enemy, it is neceſſary to be acquainted with theirs, to which it was adapted with wonderful ſkill and foreſight. The French and Bavarian army, upon the approach of the confederates, formed into two bodies. Forty-eight ſquadrons and ten battalions, commanded by Tallard, were drawn up at the head of the plain, half a mile diſtant from the marſhy ground, through which the confederates had to paſs. The elector of Bavaria with his own troops, and the marſhal de Marſin with the French, took their ſtation upon the left, nearer to the woods, and cloſe to one of the rivulets that runs through the plain. Twenty-eight battalions and twelve ſquadrons were thrown into the village of Blenheim, which ſtood on the ſide of the Danube, in front of the right wing; and theſe troops were intended, not only for the defence of the village, but, in caſe the left of the confederate army ſhould attack Tallard, to fall on its rear. Eight battalions were

13th Aug.

[29] Military Hiſtory of Marlborough, p. 58. Feuquiers, vol. ii. p. 131.

poſted

poſted in the village of Oberklaw, which were either to join the troops in Blenheim, or to ſerve as a corps de reſerve, as the fortune of the battle might require. A few battalions were alſo ſtationed at two mills, between Blenheim and Oberklaw; the villages in the plain, unoccupied by the army, were ſet on fire, to prevent their being ſeized by the confederates [30].

The confederate army was divided into two bodies; prince Eugene, at the head of the Imperialiſts, drew up to the right, oppoſite to the left wing of the enemy, commanded by the elector and Marſin. The duke of Marlborough on the left, at the head of the Britiſh and Dutch troops, having paſſed the river Keſſel, marched along the ſide of the Danube, through the plains of Blenheim, towards the right wing of the enemy, headed by the marſhal Tallard.

The duke of Marlborough had penetrated into Tallard's deſign to entice him acroſs the plain, and receive him in front, that the troops in Blenheim might ſally out upon his rear. The duke therefore, inſtead of advancing with the whole of his left wing againſt the enemy's right, detached a body of troops to attack the village of Blenheim, where the battle was begun at ten o'clock. The Britiſh troops were employed on this arduous ſervice, and having, after repeated gallant attempts, failed in ſtorming the village, they took ſuch a poſition within an hundred paces of it, as enabled them, with a force greatly inferior, effectually to block up that part of the French army which was poſted there.

The duke, having ſecured this important point, immediately paſſed the marſhy ground, preceded by his cavalry, and made ſuch a brave and ſpirited charge upon the right wing of the enemy, as obliged it to give way. The deſtruction of the enemy's cavalry on the right was almoſt complete, and ſuch of them as eſcaped the ſword, were puſhed into the Danube, or made priſoners. The right wing, under prince Eugene, which had been frequently re-

[30] Feuquiers, vol. ii. p. 131. St. Simon, tom. vii. p. 37.

pulſed

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pulſed by the left of the enemy, animated by the ſucceſs of their aſſociates, and ſtrengthened by reinforcements, renewed the battle with the greateſt alacrity and vigour, put their antagoniſts to flight, and followed them till the night put an end to the purſuit [31].

Although the higheſt praiſe be due to the duke of Marlborough, who not only concerted all the previous arrangements with a maſterly diſcernment; but, with readineſs and compoſure, iſſued ſuch orders as were adapted to the unforeſeen accidents and difficulties which occurred in the moment of action; yet it may be eaſily perceived, that the errors and miſconduct of the enemy's commanders contributed, in no ſmall degree, to the fortunate concluſion of the battle [32]. If the marſhal Tallard had taken his ſtation nearer the bottom of the plain, he might have prevented the right wing of the allies from making its way through the marſhy ground, for the cavalry could only paſs in ſmall parties, and with the aſſiſtance of pontoons; or if he had advanced with the right wing againſt the detachment, which began the action at the village of Blenheim, he might have driven them back before the duke of Marlborough had time to form the great body of his troops on the plain, and to advance to their aſſiſtance. After that detachment had deſiſted from the attempt upon Blenheim, it ſeems the marſhal was not aware, that the force he had poſted there would be confined in the village, and the reſt of the confederate army behind was not only allowed to croſs the moraſs, but to draw up, and approach in the moſt orderly

[31] Account of the battle of Hochſtet. Lond. 1704. *Appendix*, N° II.

[32] A great ſhare of the merit of this victory was imputed to the prince of Heſſe, for his uncommon celerity in ſuſtaining the troops which made the firſt attack upon Blenheim, and Oberklaw, and to general Bulaw, commander of the troops of Lunenburgh, who charged the enemy's horſe with ſuch vigour as gave time to the confederates, who had paſſed the rivulet, to form. Tindal, vol. vi. p. 549. Hiſtoire de Louis, tom. v. p. 574—6.

The duke of Marlborough, for his meritorious ſervices to the emperor, was made a prince of the empire; and next year, 22d November 1705, Mindelheim was erected into a principality, and aſſigned to the duke, who was conſequently diſtinguiſhed by the ſtile and title of the prince of Mindelheim. Tindal, vol. vi. p. 58. Monthly Mercury, Nov. 1705. The confederates had five thouſand killed and ſeven thouſand wounded. Compare Lediard, Kane, Quincy. See account of the loſs of the enemy, *Appendix*, N° II.

arrangement.

1704.

arrangement. Some batteries indeed had been placed oppoſite to the moraſs, but as they produced no material effect, it ſhould ſeem, that the marſhal did not ſeriouſly wiſh to intercept the confederates there, but rather to allow them the opportunity of coming to a cloſe engagement, which he expected to terminate glorioufly for his country. The weak front of the French and Bavarian army, from the detention of the troops which had been placed in Blenheim, and the diſtance of the two wings, which was ſtill widened by the confederates preſſing upon their inner flanks and forcing them to give way in oppoſite directions, prevented them from reciprocally affording each other that ſuccour, which might have enabled them to recover the ground they had loſt. The placing ſo many of his troops in Blenheim, produced effects contrary to what Tallard expected; and proved, from his opponent's diſcernment, the cauſe of his defeat. For the duke of Marlborough, finding that he could not diſlodge them, directed a detachment of his army to ſhut them up, which an inferior number was able to perform, as they could only come out of the village in defile, and through narrow paſſes. Such a proportion of the French troops being thus ſet aſide, the army of the allies, actually engaged, became ſuperior to that of the enemy [33].

The incumbrance of a multitude of priſoners, of whom a great proportion, who had been ſtationed in Blenheim, were freſh in conſequence of their having no ſhare in the fatigues of the engagement, as well as the approach of night, made it neceſſary to reſtrain

[33] Feuquiers, vol. ii. p. 139, &c. Quincy, tom. iv. p. 272, &c. Political Annals, vol. ii. p. 31. Some authors ſay, that the French General intended to have made the attack, if the allies had not come to them; (Hiſtoire de Louis, tom. v. p. 570.) and that Tallard was ſo confident of ſucceſs, that he ſaid, "Let "them paſs; the more there comes over, "the more we ſhall have to kill and take "priſoners." Lediard, vol. i. p. 241. But other hiſtorians affirm, that he had given poſitive orders not to let the enemy paſs the rivulet, but to charge them as they paſſed, which orders were not executed. Letter from a French General to Monſieur de Chamillard, Miniſter of State in France. Id. 276.

St. Simon imputes the loſs of the battle to the inactivity of the troops in Blenheim, and the failure of ammunition, the ammunition waggons having moved off without leave being granted them; tom. vii. p. 39, &c.

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the ardour of the conquerors in purſuit of the enemy[34]. The immediate effects of this victory fully anſwered the expectations of the confederates. Auſburg was quickly abandoned by the French; the garriſon of Ingolſtadt ſurrendered; and Ulm, where the elector of Bavaria had retreated with the wreck of his army, was taken after a ſhort ſiege[35].

11th Sept.

The ſiege of Landau, which was undertaken in compliance with the earneſt requeſt of the prince of Baden, was long protracted by the unfavourable ſeaſon[36], and by the heroic intrepidity of Laubanie, the governor, animating the defenders to make exertions, which aſtoniſhed the beſiegers, and interrupted the career of the victorious allies[37]. The king of the Romans, who had arrived in the camp at Landau, was ambitious of the fame of taking it a ſecond time, and ſent a trumpet to Laubanie, exhorting him to ſurrender the place, before he was buried under its ruins. The brave Laubanie replied, that ſuch an honourable funeral, as that which he had threatened, was to him an object of ambition, and not of terror; but nevertheleſs, from the love he bore his country, he would poſtpone it as long as poſſible. He kept his word, and diſputed every inch of ground with a heroic obſtinacy. While giving his orders, he was deprived of his ſight, by the gravel thrown into his eyes in conſequence of a bomb having ſtruck the bottom of the paliſade where he ſtood, and a ſplinter rebounding from the wood wounded him by entering his belly. His ſpirit was invulnerable; and his activity remained unabated. He was led about, blind, groping

34 Lediard, vol. i. p. 289, 90.

35 Kane, p. 57. Quincy, tom. iv. p. 291.

36 *Appendix*, N° III.

37 Barré, tom. x. p. 456. The duke of Marlborough wiſhed to advance, without delay, to the Moſelle; and to carry on the war in Luxemburg and Lorrain, that he might make good his winter quarters there, and penetrate into France the next campaign; but prince Lewis inſiſted upon his attempting the ſiege of Landau, as the poſſeſſion of it was eſſential to the ſecurity of Suabia; and this being more immediately connected with the intereſt of the Germans, the duke could not prudently decline; and was therefore detained with the greateſt part of his army to cover the ſiege, as the marſhal Villeroy had drawn together a great body of troops to raiſe it. Compare Cunningham, vol. i. p. 396. with Lediard, vol. i. p. 296, 7. Kane, p. 57.

with

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with his hands, and meaſuring the breaches made by the enemies batteries in the walls, that he might be enabled to give the proper directions for repairing and defending them. He continued to deliver his orders with the ſame preciſion and firmneſs; and the ſoldiers, admiring his fortitude, and lamenting his misfortunes, endured the greateſt hardſhips without a murmur, and performed the ſevereſt duties with prompt and cheerful obedience. He prolonged the defence of the city ſeveral weeks after he was in this ſituation, and at length prevented, by an honourable capitulation, an aſſault, which muſt have been productive of deſtruction to his faithful companions, without adding to his own glory and theirs, or promoting the true intereſt of his country[38]. 24th Nov.

The duke of Marlborough, that he might employ the confederate troops which were not engaged in the ſiege of Landau to the beſt advantage, ſent off two ſtrong detachments to inveſt Treves and Trarbach. The former the French evacuated, upon hearing of the approach of the allies; Trarbach was vigorouſly defended for more than a month, and ſurrendered on favourable terms to the prince of Heſſe Caſſel, who conducted the ſiege[39]. 18th Dec.

The allies were now maſters of all the country from the Danube to the Rhine, and of Trarbach on the Moſelle, and Landau in Alſace, both of them fortreſſes of uncommon ſtrength.

The victorious army avenged the defection of the elector of Bavaria, by laying waſte the property of his guiltleſs ſubjects, and completed the humiliation of his family, by compelling the electreſs his wife to reſign Bavaria to the emperor, and to reſtore all the places the elector had conquered in Tirol. The promiſe of the 10th Nov.

[38] Quincy, tom. iv. p. 309. Barré, tom. x. p. 456. The allies paid dear for the capture of Landau; nine thouſand of the Imperial army were killed and wounded in the courſe of the ſiege, beſides many who contracted mortal diſeaſes from the putrid effluvia upon opening the ground, and removing the earth, which covered thouſands of the dead who had fallen in the preceding ſieges; for it was the misfortune of this place to have undergone three of them; and to have ſurrendered as often, within the ſpace of three years, and always on the ſame terms. Barré, tom. x. p. 456.

[39] Quincy, tom iv. p. 315. Barré, tom x. p. 455. *Appendix*, N° III.

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emperor's protection, with a ſmall penſion out of the revenue of Munich, the fortifications of which were razed, and a guard of four thouſand men, were the only compenſation ſhe could obtain for theſe mortifying ſacrifices [40].

The ſtrength of the contending armies being employed on the Danube, no events worthy of record diſtinguiſhed the campaign in the Netherlands. Skirmiſhes often happened and towns were bombarded; but no general engagement took place, nor were any fortified places taken.

A variety of circumſtances concurred to render the campaign in Portugal peculiarly unfortunate, and diſgraceful to the allies. The inveterate bigotry of the Portugueſe made them incapable of cooperating heartily with proteſtant armies. The generality of the clergy, ſome of the miniſters, and many of the nobility, were prejudiced againſt the intereſt of the emperor and Charles, becauſe it was ſupported by heretics [41]. Hence the moſt treacherous delay and remiſſneſs in every department connected with the war, and the moſt ſhameful neglect of all thoſe preparations which were neceſſary for opening the campaign. Neither carriages, magazines, nor ſtores, were furniſhed in due ſeaſon, nor in ſufficient proportion. Although the king of Portugal was bound, by treaty, to provide the Engliſh and Dutch auxiliaries with horſes, yet the French agents were permitted to purchaſe the beſt in the country, for the uſe of king Philip's army, and ſuch as remained were neither of ſize nor ſtrength fit for ſervice. A great number of the allied troops, which had fallen into diſeaſe from the confinement and bad accommodation in their voyage to Portugal, periſhed for want of proper attendance and medicine. The pride of the Portugueſe officers who

[40] Lediard, vol. i. p. 298. Barré, tom. x. p. 453. One hundred and fifty towns were pillaged and burnt in Bavaria, including thoſe which were deſtroyed after the battle of Schellenberg. The papers, plate, and valuable furniture of the elector, were carried to Vienna. The nobility were diſarmed and plundered, and exorbitant taxes were impoſed upon the people. Soldiers were quartered in all the pariſhes during the winter, and lived at diſcretion.

[41] Cunningham, vol. i. p. 437.

were

were intruſted with ſuperior command, agreeably to the conſtitution and cuſtom of their country, could not endure ſubordination to foreign generals, whoſe ſkill and experience were neceſſary to ſupply their profound ignorance of military affairs[42]. Nor were the Engliſh and Dutch commanders inſtructed, by their common ſympathy and misfortunes, to cheriſh a cordial union, and to maintain a firm and ſteady co-operation in the ſervices in which they were jointly employed. The jealouſy and rivalſhip, which ſubſiſted between the duke of Schomberg and monſieur Fagel, were a perpetual ſource of jarring counſels, and afforded the king of Portugal a ſpecious pretext for ſeparating the Engliſh and Dutch auxiliaries, though it was only by their junction, that they could be a match for the combined armies of the French and Spaniards, which now entered Portugal under the command of king Philip and the duke of Berwick[43].

King Charles arrived at Liſbon on the 9th March[44]; and he, and the king of Portugal, ſeverally publiſhed manifeſtoes addreſſed to the Spaniards, the former promiſing to protect all who would declare for him; and the latter engaging to ſupport the title of king Charles, and to deliver the Spaniſh nation from the uſurpation of the houſe of Bourbon. The duke of Schomberg alſo publiſhed a manifeſto, in name of the queen of England, of the ſame tenor with thoſe of the two ſovereigns; and moreover offered a pardon to all her majeſty's ſubjects, meaning the Iriſh in the French ſervice, who ſhould deſert from the duke of Anjou[45].

[42] Salmon, vol. xxv. p. 200, &c. London, 1735. According to the cuſtom of Portugal, the provincial governors were eſtabliſhed chief commanders of all the troops ſtationed within their diſtricts; nor could the emergency of his affairs prevail upon the king to diſpenſe with this pernicious regulation.

[43] Berwick, vol. i. p. 228. The Engliſh infantry were quartered in the province of Alentejo, and the Dutch ſent up the Tagus. The ſeparating the auxiliaries was partly owing to the danger which the king apprehended from truſting the frontier towns to his own undiſciplined troops. Tindal, vol. vi. p. 77.

[44] The archduke Charles, after being acknowledged king of Spain by the confederates, came to England December 1703. He was entertained by the court with great ſplendour, and afterwards convoyed by the Engliſh fleet to Liſbon.

[45] Tindal, vol. vi. p. 80.

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1704.

Many places in Portugal yielded without reſiſtance to the enemy; ſome were taken by ſtorm. During the firſt two months of this campaign, the French and Spaniards were uniformly victorious; and the court of Portugal was filled with conſternation, leſt the

30th July.

capital itſelf ſhould fall into their hands[46]. The arrival of a reinforcement from England, under the command of the earl of Galway, who ſuperſeded the duke of Schomberg, revived the hopes of the deſponding monarchs, who now began to concert plans for inverting the fortune of the campaign, and retaliating upon the Spaniards by the invaſion of Caſtile. They were, however, perſuaded by the Engliſh commander to relinquiſh a deſign ſo dangerous, and of precarious ſucceſs. The good fortune of the allies, in a quarter where it was leaſt expected, obtained that deliverance for Portugal, which never could have been accompliſhed by offenſive exertions. The French and Spaniſh army was ſo much drained by detachments drawn from it for retaking Gibraltar, which had ſurrendered to the confederate fleet, that it could no longer maintain its ground in a hoſtile country[47]. Some of the fortified places, which had fallen into the hands of the French and Spaniards, were razed to the ground, and others were evacuated with as much rapidity as they had been taken; ſo that Portugal was reſtored, nearly, to the ſame condition as that in which it had been at the commencement of the campaign[48].

In Italy, the intereſt of the emperor and his ſon ſunk in the campaign 1704. The French king, ſtimulated by revenge againſt the duke of Savoy for renouncing his alliance, ſent large reinforcements to join the army of the duke of Vendoſme; and as the emperor was not in a condition to ſuccour the former with ſufficient force for carrying on an offenſive war, he was entirely occupied in ſtrengthening his fortifications[49]. But neither is it probable, that

[46] Berwick, vol. i. p. 216, &c.

[47] Quincy, tom. iv. p. 422. Berwick, vol. i. p. 232.

[48] Tindal, vol. vi. p. 85.

[49] Cunningham, vol. i. p. 403. Quincy, tom. iv. p. 350.

his

his own ſkill and exertions could have ſaved him from ruin, had not general Staremberg marched from the Modeneſe, and arrived at the camp in Piedmont, after ſurmounting the greateſt dangers from the length and difficulty of the roads, and the frequent ſkirmiſhes to which he was expoſed, from the army of Vendoſme hanging upon his rear, during the whole courſe of his march [50]. After this junction, the duke's army was ſtill ſo much inferior, that the ſole object of his attention was to avoid a battle; and to retard the deſtructive progreſs of the enemy, by ſecuring the paſſes and mountains which intercepted its march [51].

1704. 13th Jan.

Suſa, at the diſtance of ten leagues from Turin, and lying in the principal road from France to that city, ſurrendered to the duke de la Feuillade, as ſoon as he began his preparations for inveſting it; after which he engaged a body of the confederate army, ſtrongly entrenched in the neighbourhood of Brunetto, killed four hundred, and took a great number of priſoners, including many officers of rank [52].

5th June.

Vercelli, a ſtrong fortreſs in Piedmont, yielded to the duke of Vendoſme after a vigorous reſiſtance, and enabled him to become maſter of the valley of Aouſta; and thereby cut off the duke of Savoy's communication with Germany through Switzerland. The French army penetrated into the interior parts of Piedmont, deſtroying every thing before it, and cloſed the campaign by inveſting Verue. The duke of Modena, who adhered to the emperor, was ſtript of his dominions by the French; and the duke of Mirandola experienced the ſame treatment from the Imperialiſts, in conſequence of his having put himſelf under the protection of France [53].

21ſt July.

The Cevennois, though diſappointed of the aſſiſtance of the confederates, had continued in a ſtate of revolt, from the hopes that affairs in Italy might take a more favourable turn for them, after the

[50] Quincy, tom. iv. p. 182. Hiſtoire de Louis, tom. v. p. 546.
[51] Id. Cunningham, vol. i. p. 404.
[52] Quincy, tom. iv. p. 346.
[53] Id. p. 347. Barré, tom. x. p. 442.

duke

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duke of Savoy had abandoncd the intereſt of France, by opening a channel to ſupply them with more immediate and effectual reinforcements. The progreſs of the French in Italy, during the ſpring, and the unpromiſing aſpect of the duke's affairs, at length reduced them to deſpondency, and removed all heſitation about renewing their allegiance to the French king, eſpecially as terms of accommodation were propoſed by him, which far exceeded their expectations [54].

The confuſion of affairs in Poland, occaſioned by a conteſted election to the crown, increaſed in the courſe of this campaign.

12th July. Auguſtus was depoſed, and Staniſlaus Leezinkſki, palatine of Poſnania, was elected to the crown, and ſupported by the king of Sweden. Auguſtus, after many changes of fortune, was compelled to retreat to his own dominions in Saxony. The levies and preparations he made for renewing the war in Poland, not only proved ruinous to his own ſubjects, but detracted from the general ſtrength of the empire [55].

The naval preparations were forwarded this ſeaſon with unuſual diſpatch. On the 12th February, ſir George Rooke, who had reſumed the command of the fleet, ſailed from Portſmouth with king Charles on board, and, on the 25th, arrived at Liſbon. Three Spaniſh ſhips of war, two of ſixty, and one of twenty-two guns, were

18th March. taken on the coaſt of Portugal by rear-admiral Dilkes, after a ſhort engagement. In compliance with the earneſt entreaties of king Charles, who had received flattering accounts of the diſpoſitions of the Catalonians, the admiral was conſtrained to make an attempt

18th May. upon Barcelona, which proved as unſucceſsful as that which had been made on Cadiz in 1702 [56].

[54] They were promiſed liberty of conſcience; and thoſe who had been ſent to the galleys were to be releaſed. Such as had left the country on account of their religion were permitted to return and enjoy their eſtates. Theſe engagements however were but ill obſerved by the French king. Tindal, vol. vi. p. 87.

[55] Tindal, vol. vi. p. 92.

[56] Lives of the Admirals, vol. iii. p. 58. When the Engliſh fleet appeared on the coaſt, the governor ſecured all the perſons ſuſpected of favouring the Auſtrian intereſt.

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The attack of the French fleet in the Mediterranean, and a deſcent upon the coaſt of Spain, were the two principal objects which the commanders of the confederate fleet had been inſtructed to purſue. The French fleet having fled before them and put into Toulon, it only remained for the confederate fleet, now conſiderably reinforced by a ſquadron from Portſmouth under the command of ſir Claudſley Shovel, to conſider what part of the Spaniſh coaſt could be invaded with the moſt probable view of ſucceſs. From their former abortive attempt upon Cadiz, as well as from the ſingular importance of the place, which had induced the Spaniards to ſtrengthen the fortifications, and augment the garriſon and troops in the neighbouring diſtricts, the admirals were convinced that there was not the ſmalleſt chance of ſucceſs in that quarter. The natural ſtrength of Gibraltar rendered the enemy leſs vigilant and leſs prepared, where they did not ſuppoſe the confederates would ever think of directing hoſtilities. Senſible of the neceſſity of turning to account that force, upon which ſo much of the national treaſure had been expended, and informed of the indolence and ſecurity of the Spaniards, the admirals came to the reſolution of making a ſudden and vigorous aſſault upon Gibraltar. The celerity of their ſucceſs exceeded their fondeſt hopes, and vindicated an exploit, which, had it miſcarried, might juſtly have been cenſured as raſh and ill adviſed. Eighteen hundred marines were landed on the iſthmus, between Gibraltar and the continent; and the governor refuſing to ſurrender the fort upon a ſummons from the prince of Heſſe who commanded them, the town was bombarded. The garriſon being driven from the fortifications on the South Mole head, the admiral ordered one of the captains to arm all the boats and take poſſeſſion of them. This ſervice was performed by the perſevering bravery of the ſailors, notwithſtanding the ſhocking cataſtrophe of forty of their companions, who were deſtroyed by the ſpringing of a mine, when they firſt landed. The next day the Spaniſh governor capitulated, and

21ſt July.

the

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the prince of Heſſe took poſſeſſion of the town in name of the queen of England[57].

1704. The admiral, having left the prince of Heſſe and all the men he could ſpare in Gibraltar, ſet ſail for the Straights, and immediately

9th Auguſt. came in ſight of the French fleet, which he purſued for ſeveral days,

13th. till it formed in a line near cape Malaga, and lay in a poſture to receive him. The battle was well fought on both ſides, for three hours, when the enemy's van gave way, and, a running fight continuing till the evening, the French fleet went off to the leeward. Both fleets lay by for a day, within three leagues of one another, repairing their damages, and afterwards the French bore away, and

15th. entered the harbour of Toulon[58]. The Engliſh fleet returned to Gibraltar, from whence it ſailed on the 5th September, and arrived at Spithead on the 25th.

The French and Spaniards, under the marquis Villadorias, inveſted Gibraltar with a powerful force; but the good fortune of the Engliſh was no leſs conſpicuous in ſaving, than it had been in acquiring, this important fortreſs.

[57] Lives of the Admirals, vol. iii. p. 65. Hiſtoire de Louis, tom. vi. p. 14. The ſuperſtition of the Spaniards contributed to the ſucceſs of the beſiegers. The day on which the attack was made being a feſtival, the citizens, inſtead of active reſiſtance, reſorted to the churches, and implored the protection of the ſaints, uuwarrantably confiding in ſupernatural aid, while they neglected the means of defence already afforded them. Cunningham, vol. i. p. 399.

[58] Lives of the Admirals, vol. iii. p. 68. St. Simon repreſents the count de Toulouſe to have fought battle; to have had the advantage over the Engliſh fleet, and to have purſued it, under night, to the coaſt of Barbary, though he acknowledges that the victory coſt the French ſome thouſand men. St. Simon, tom. vii. p. 59. The editor, in a note, gives the Engliſh admiral the honour of making the attack, and ſays, that the iſſue was undecided, *Battaille indéciſe à la vérité*. Id.

The Dutch having recalled ſeven of their ſhips, the confederate fleet was inferior to that of the French. The latter conſiſted of fifty-two ſhips; of which ſeventeen were three deckers, and twenty-four galleys; the Engliſh of fifty-three, of which only ſeven were three deckers. The French carried ſix hundred guns more than the Engliſh, and were better provided with ammunition. No ſhips were deſtroyed or taken on either ſide; but, as the Engliſh offered to renew the engagement, and the French declined it, there can be little doubt to whom the victory ought to be aſſigned. The killed and wounded in the confederate fleet amounted to two thouſand ſeven hundred and nineteen; whereas the French had not leſs than three thouſand and forty-eight killed, beſides the wounded. Compare Lives of the Admirals, vol. iii. p. 68. Quincy, tom. v. p. 426—36. Hiſtoire de Louis, tom. vi. p. 21, 22.

Five

Five hundred Spaniards had climbed up the rocks, and were lying concealed upon the mountain, ready to ruſh into the town, while an aſſault was to have been made by the ſhips upon the new mole. They were juſt upon the eve of executing their deſign, when ſir John Leake arrived from Liſbon, and, by ſending five hundred marines and ſailors to the garriſon, enabled the governor to march out, and attack the Spaniards upon the mountain. Three hundred of them were killed on the ſpot, or driven headlong over the rock, and the reſt were glad to receive quarter [59].

1704.

5th Nov.

After ſir John's departure, the ſiege of Gibraltar was again renewed, and, while great ſuccours were ſent to it by land from Spain, a large fleet, commanded by baron Pionti, entered the bay. Advice of this being ſent to the admiral at Liſbon, he returned to Gibraltar; attacked the French fleet; of which two were taken, and two run aſhore and were deſtroyed [60].

December.

6th March, 1705.

At the end of this campaign, the duke of Marlborough made a viſit to the court of Berlin, and negotiated a treaty with his Pruſſian majeſty, by which he became bound to ſend a body of eight thouſand men into Italy, to co-operate with the troops of the emperor and the duke of Savoy againſt France in the enſuing campaign [61]. The duke at the ſame time compoſed certain diſputes, which, to the great prejudice of the alliance, were then ſubſiſting between the kign of Pruſſia and the Dutch [62].

[59] Lives of the Admirals, vol. iii. p. 78, 9.

[60] Life of Sir J. Leake, Chapters 5th and 6th.

[61] Lamberti, tom. xiii. p. 343. Her Britannic majeſty became bound to pay the ſum of three hundred thouſand crowns (£.67,500) for the ſubſiſtence of theſe troops; of which it was taken for granted, that the Dutch would bear a part, and the emperor was to furniſh them with the ordinary rations of bread during the time of their being in the field. See the treaty, Journals Commons, 29th January 1705.

[62] Biographia Britannica.

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Third Seſſion of Parliament.—Her Majeſty's Speech, &c.—Bill againſt occaſional Conformity carried in the Houſe of Commons.—A Motion for tacking it to the Supply negatived.—The Bill again caſt out by the Lords.—Reſolutions, and Act, occaſioned by the Proceeding of the Scottiſh Parliament.—Inquiry into the State of the Navy, &c.—The Commons thank her Majeſty for the late Treaty with the King of Pruſſia.—The Duke of Marlborough thanked by the Lord Keeper.—The Commons addreſs her Majeſty for perpetuating the Memory of his Services by ſome ſignal Reward.—The Manor of Woodſtock, &c. conferred upon him.—Bills brought in by the Commons for ſecuring the Independence of Parliament.—Renewal of the Diſputes between the two Houſes relative to the Aileſbury Electors.—Addreſſes and Repreſentations to the Queen.—Parliament prorogued and diſſolved.—Review of its Proceedings.—Origin and Conſtitution of the Engliſh Convocation.—Claims of the Lower Houſe.—The Clergy diſpleaſed with the Suppreſſion of the Convocation by King William.—The Convocation meets.—Its Proceedings.—Second Seſſion.—Third Seſſion.

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1704.

THE laſt ſeſſion of this parliament was opened on the 24th October 1704. Her majeſty, after mentioning the ſatisfaction expreſſed in every part of the kingdom upon the wonderful ſucceſs of her arms, ſuggeſted the neceſſity of enlarging the ſupplies, to enable her to carry on the war, and to ſatisfy the juſt pretenſions of her allies. She promiſed a faithful application of whatever might be granted to the public ſervice. She profeſſed her inclination to be kind and indulgent to all her ſubjects, and recommended entire union at home, as eſſential for attaining the great ends of which the nation had now ſo fair a proſpect.

The commons as well as the lords expreſſed their marked applauſe of her majeſty's recommendation to union; but the vote for a ſupply

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1704. 23d Nov.

a ſupply had no ſooner paſſed[1], than the very bill which had been the ſource of ſo much heat in the two preceding ſeſſions was again introduced in that houſe. Irritated by the unexpected oppoſition it had met with in the laſt ſeſſion from many of its firſt abettors, its more reſolute and ſteady friends were now determined to have recourſe to ſuch a ſtrong meaſure as was likely either to enſure ſucceſs, or, by the confuſion and derangement of public affairs, to afford them ample vengeance for diſappointment. On the ſecond reading of the bill, a motion was made for tacking it to the bill of ſupply. Refined views of liberty, and a fervent zeal for the ancient purity of the conſtitution, were the fair pretexts with which the Tories now varniſhed the machinations of party rage. However ſtrange the name, it was affirmed, that tacking, in effect, had been coeval with the birth of liberty; that the *magna charta* itſelf was an illuſtrious model of this practice, and an undeniable proof both of its antiquity and uſefulneſs. Did not it ſtipulate for good laws, as the condition of ratifying the royal authority? Not relying, for the redreſs of grievances, on the word of a king, which had often been broken, our anceſtors wiſely retained the faculty of coercion in their own hands, by making money bills the laſt which they voted. Such a ſtrain of argument, adopted by the party which had been wont to ſtretch prerogative, expoſed them to the contempt of their opponents, while it provoked the diſguſt of many of their former adherents; and the motion for the tack was rejected by a majority of a hundred and ſeventeen votes[2]. The bill, however, was afterwards tranſmitted, in its ſimple form, to the upper houſe, where the queſ-

[1] The ſupplies, granted this ſeſſion, amounted to five millions, fifty-five thouſand, one hundred and two pounds, ſixteen ſhillings.

[2] Beſides the general arguments againſt tacking, there was a peculiar incongruity in the preſent conjunction; for the money bill was limited to the duration of one year, and the clauſe tacked to it was to enact a law of perpetual obligation.

Mr. St. John, who had hitherto ſupported the bill, ſpoke and voted againſt the motion for the tack. Life of Bolingbroke, p. 89.

The influence of the court was warmly exerted to prevent the tack, which was underſtood as a ſignal of its diſpleaſure with the Tories. Letters of Mr. Vernon to the Duke of Shrewſberry, December 1704. MS. Shrewſberry Papers.

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tion for a ſecond reading was negatived by a majority of twenty-one.

1704. 15th Dec. 1704, 5.

The late violent proceedings of the parliament in Scotland occaſioned many intereſting debates in both houſes, on the ſtate of the nation; and produced various reſolutions, the ſubſtance of which was compriſed in an act, that materially changed the political relation ſubſiſting between the two kingdoms [2].

From an inquiry into the ſtate of the navy, which was proſecuted by the lords with great diligence, it appeared, that notwithſtanding the diſburſements placed to its accounts, for the three preceding years, had far exceeded the allowance granted, yet there was a very conſiderable deficiency in the number of ſeamen and marines provided for by parliament; that there was a great want of cruiſers for the protection of trade; and that enormous frauds had been committed in victualling the fleet. It was repreſented, that the miſmanagement complained of aroſe, in a great degree, from the redundancy, inactivity, and extravagant payment of the principal officers in the naval ſervice, in which number, ſome of the prince of Denmark's council were particularly named, and charged as acceſſory to the abuſes brought to light. It having alſo appeared, that ſeveral Britiſh ſhips had clandeſtinely traded with France, and carried proviſions there, an act was paſſed for more effectually preventing that evil in future [4].

The commons returned her majeſty thanks for having concluded the late treaty with the king of Pruſſia [5]; but paſſed an indirect cenſure upon the conduct of the allies, by addreſſing her to uſe endea-

[3] It was intitled, "An Act for the effectual ſecuring the Kingdom of England from the apparent Dangers that may ariſe from ſeveral Acts lately paſſed in the Parliament of Scotland." It empowered her majeſty to appoint commiſſioners for England to treat with commiſſioners from Scotland for an union between the two kingdoms. All the natives of Scotland were declared aliens after the 25th of December 1705, and rendered incapable of inheriting lands, &c. in England. The importation of horſes, arms, and ammunition from England into Scotland, and of cattle and coals from Scotland into England, was prohibited. Statutes at large, vol. iv. p. 178. London, 1763. See Chapter IX.

[4] Journals Lords, 18th January, 5th February, 2d, 14th March, &c.

[5] Journals Commons, 8th February.

vours

vours to obtain from them their ſeveral quotas by ſea and land, agreeably to the treaties into which they had entered [6].

1704, 5.

The duke of Marlborough, upon his firſt appearance in the houſe, was complimented by the lord-keeper, in the moſt flattering terms, with a ſpecific enumeration of his exploits. The commons alſo ſent him thanks by a committee of their houſe; and afterwards addreſſed her majeſty to conſider of ſome proper means for perpetuating the memory of his illuſtrious ſervices [7]. This laſt meaſure was interpreted by the Whigs as an artifice of the Tories for regaining the duke's intereſt, which was likely to be ſo prevalent, both at the court and in the country, upon the approaching general election.

15th Dec.

10th Jan.

The Tories were diſappointed of the eſteem they expected to obtain from their conſtituents, by their patriotic exertions in the houſe of commons for farther ſecuring the purity and independence of the repreſentative body. Two bills were brought in for this purpoſe: one, for preventing all perſons who derived any official emolument from the public taxes from ſitting in the houſe of commons, was negatived by a majority in that houſe: the other, which had for its object the excluſion of perſons who held any place under government erected ſince the 6th February 1688, paſſed the houſe of commons, and was returned from the lords with ſome amendments, which the former did not approve, and was therefore dropt.

13th Jan.

27th Jan.

12th and 14th February.

The diſputes ariſing from the complaints of the Aileſbury electors were renewed with great warmth in both houſes, and acquired additional intereſt from circumſtances which had occurred during the receſs of parliament. The favourable deciſion which

[6] Journals Commons, 23d, 26th February.

[7] The manor of Woodſtock, and hundred of Wooton, and the lieutenancy and rangerſhip of the parks, were the munificent rewards which her majeſty conferred on her favourite general, in compliance with the recommendation of the commons. The queen alſo ordered the comptroller of her works to build a magnificent palace in Woodſtock Park, to which, in honour of the duke's memorable victory at *Blenheim*, ſhe gave the name of *Blenheim-Houſe*.

White

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1704, 5.

White had obtained in the houſe of lords, encouraged five more of the electors to bring actions againſt the conſtables for refuſing their votes. The commons, following up the reſolutions they had entered into the preceding ſeſſion, voted the plaintiffs guilty of contempt of their juriſdiction, and a breach of privilege; and ordered them to be committed to Newgate. A motion was made in the queen's bench, for a habeas corpus in behalf of the priſoners; but upon the ſame principle which had regulated its judgment in the caſe of White, that court declined taking any cognizance of the buſineſs [8]. Two of the priſoners petitioned her majeſty for a writ of error, that their cauſe might be brought before the houſe of lords. The commons preſented an addreſs to the queen, ſtating, that the commitments made by that houſe were not examinable by the courts of law; and at the ſame time, as if it had been from the conſciouſneſs of their cauſe depending upon favour as well as juſtice, they reminded her majeſty of the ſervice they had done her by giving diſpatch to the ſupplies; and entreated her to withhold her conſent to a petition, ſubverſive of their moſt valuable rights. Diſſatisfied becauſe her majeſty's anſwer did not promiſe immediate compliance with their deſire [9], they omitted the uſual form of returning thanks for it, and immediately proceeded to wreak their vengeance upon the council who had pleaded in behalf of the priſoners committed agreeably to their order, by voting that they alſo had been guilty of a breach of privilege, and ordered them to be taken into cuſtody.

21ſt Nov.

5th Dec. paſſim.

24th Feb.

26th Feb.

The lords, from an unwillingneſs to embroil themſelves with the lower houſe while the ſupply was depending, abſtained for ſome time from any public interference with its proceedings; but being at length called upon judicially, by a petition from the priſoners, they were under the neceſſity of taking the whole buſineſs into

[8] The lord chief juſtice Holt was of opinion that the habeas corpus ought to have been granted, but the other three judges were againſt it.

[9] She ſaid, that, as this matter related to judicial proceedings, ſhe thought it neceſſary to conſider carefully what might be proper for her to do.

conſider-

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1704, 5. 24th, 27th February. 13th March.

conſideration, and entered into a ſeries of reſolutions, explicitly condemning the conduct of the commons as unprecedented and ſubverſive of juſtice and liberty; and addreſſed her majeſty, that ſhe would be pleaſed to give effectual orders for iſſuing the writs of error. Repeated conferences took place between the two houſes upon this intereſting queſtion; and their ſeveral opinions were defended with great ingenuity and eloquence. The temper of diſputants is no unequivocal teſt of the merits of the cauſe for which they are contending. The lords ſupported their reſolutions with forcible arguments and calm expoſtulation. The managers for the commons defended their proceedings, chiefly, on the ground of privilege; and digreſſed into libellous reflections on the conduct of the lords, and cenſuring other meaſures adopted by them which were foreign to the point in diſpute. Both ſubmitted their opinions to the ſovereign: the one repreſenting the refuſal of a writ of error to the priſoners as a ſtop to the ordinary courſe of juſtice; and the other, the granting it, as a violation of their deareſt privileges. There remained for the queen no other expedient of delivering herſelf from the embarraſſment occaſioned by theſe fierce animoſities, but putting an end to the ſeſſion. The parliament was prorogued on the 14th March, and diſſolved on the 5th April; and on the 25th of the ſame month, a proclamation was iſſued for calling a new parliament.

As this was the ſtrongeſt Tory parliament ſince the revolution, it afforded ſpecious grounds for involving both the parliament and party indiſcriminately in the ſame cenſure or applauſe; and the proceedings of the former have been always aſſumed as a fair teſt of the ſpirit and motives of the latter.

Of any unfavourable diſpoſition to the houſe of Hanover, the firſt parliament of queen Anne cannot be accuſed; and ſome of the ſtrongeſt ſecurities for the proteſtant ſucceſſion were propoſed and ratified during its exiſtence. Having approved of the war, the commons voted liberal ſupplies for carrying it on, and purſued wiſe

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meaſures for ſtrengthening the grand alliance, by encouraging and ratifying treaties with the powers who had acceded to it, and by requiring the original parties concerned to perform their ſtipulations. They at the ſame time diſcovered a laudable reſpect for the intereſt of their conſtituents, by inquiring into abuſes, and controlling unneceſſary profuſion in the public expenditure. This was the ſum of their merit.

Some of the meaſures, purſued by the commons in every ſeſſion of the firſt parliament of the queen, were precipitate, partial, violent, and not leſs inconſiſtent with political diſcretion than liberal ſentiment. The Tories began their career, in the confidence of having the excluſive patronage of the ſovereign; and the miniſtry was compoſed principally of their adherents. Preſuming upon theſe advantages, they were determined to loſe no time, and to ſcruple at no means, for accompliſhing the irretrievable depreſſion of their antagoniſts. The bill againſt occaſional conformity; the general tenor of their ſpeeches in ſupport of it; their obſtinate perſeverance in that meaſure; the unconſtitutional attempt to conſtrain the conſent of the upper houſe by tacking it to the ſupply; and their ſtretching privilege, to the infringement of law; exhibit ſtriking examples of the arrogance, the bigotry, and arbitrary ſpirit which characteriſed the Tories in the day of power.

The hiſtory of this parliament affords an example of the wiſdom and uſefulneſs of the ſeveral balances with which our conſtitution is furniſhed, and particularly of the ſalutary influence of that member of the legiſlature, which is fixed and unchangeable, for controlling the irregularities and exceſſes of the repreſentative body, more liable to precipitation and violence, from the limitation and dependence of its power. If the moderation, the vigilance, and ſeaſonable zeal of the lords had not reſtrained and thwarted the impetuoſity and uſurpation of the commons in this parliament, the beſt fruits of the revolution might have been blaſted, and an arbitrary faction, not leſs dangerous than an arbitrary monarch, riveted in

in the ſeat of government. The outrage of the Tories deſtroyed their reputation and influence. The ſober part of the nation took alarm; the people diſtruſted them; the queen was intimidated; and forſook, for a ſeaſon, the party which had her early favour. CHAP. IV. 1705.

In order to enable the reader to underſtand the proceedings of the convocation, coincident with thoſe of the parliament already recited, it is neceſſary to premiſe a few obſervations concerning the origin of that aſſembly, and the alterations which took place in its conſtitution, and forms, previous to the period of which I am treating. Convocation.

Wherever the chriſtian religion obtained the ſanction of civil government, ſynods or meetings of the clergy, for the purpoſe of diſcuſſing eccleſiaſtical affairs, were firſt permitted, and afterward incorporated with the eſtabliſhed authorities, and more or leſs ſubjected to their regulation and controul [40]. Hence eccleſiaſtical aſſemblies, in their firſt formation, participated of the genius of the municipal government to which they were annexed, though their appropriate juriſdiction and prerogatives were occaſionally contracted, or enlarged, according to the temper and intereſt of the ſupreme magiſtrate, and the reigning prejudices of the people. Under the progreſs of ſuperſtition, the forms and powers of all the eccleſiaſtical aſſemblies, in every chriſtian kingdom, were more nearly aſſimilated, by the arrogant domination of the court of Rome, which claimed their allegiance, and implicit ſubordination to its authority, independent of the interior government of the country where they were eſtabliſhed. This uſurping ſpirit of the Roman ſee produced effects, the reverſe of what might naturally have been expected: becauſe its claim to ſupremacy, being occaſionally controverted; ſometimes violently reſiſted; and ſeldom recogniſed, without reluctance, by the chriſtian princes; the provincial clergy, while the ſtruggle was depending, with a dexterous policy, abetted the one or the other,

[40] Moſheim, vol. i. p. 144. 282.

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as ſeemed moſt likely to contribute to the increaſe of their own power and opulence. Hence, in the hiſtory of every European ſtate during the dark ages, we diſcover examples of reſiſtance to the papal yoke, and precedents, in ſupport of the claim to an independent, eccleſiaſtical juriſdiction.

Agreeably to the plan, upon which the reformation in England was accompliſhed under Henry the eighth, the pretenſions of the Engliſh church to independence, in every ſenſe of the word, either as affecting the court of Rome, or the civil power at home, were entirely cancelled; for, to all the prerogatives already inherent in the crown, thoſe, which had been formerly veſted in the pope, were ſuperadded by the act of ſupremacy [11].

The Engliſh eccleſiaſtical ſynod, at its firſt inſtitution, and for ſucceſſive ages, conſiſted only of the metropolitan and his ſuffragans, who deliberated on the affairs of the church, adopted regulations for its worſhip and government, and made decrees and canons without any previous conſultation with the inferior clergy, or any after-reference to their opinion [12]. The latter however, from being accuſtomed to attend the meetings of their ſuperiors, as intereſted ſpectators, came afterwards, in the progreſs of time, to be indulged in expreſſing approbation of their proceedings; but ſtill were not allowed, in any caſe whatever, to diſſent from them.

Thus the matter ſtood, ſo far as related to ſubjects purely of a ſacred nature; but when the ſynod granted any aid or ſubſidy to the ſovereign, either in compliance with his demand, or in the way of voluntary benevolence, the parochial clergy were called upon and conſulted by their ſuperiors, with reſpect to the proportion and adjuſtment of the burden which was to fall upon them [13]. This example of complaiſance, on the part of the dignitaries of the

[11] See 25th Henry VIII. chapter 19. The ſupremacy was aboliſhed in the reign of queen Mary; revived again in that of Elizabeth, and recogniſed by the canons of the convocation, 1603. Canons 139, 140, 141.

[12] Complete Hiſtory of the Convocation, Preface, p. 10. Lond. 1730.

[13] Idem.

church

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church towards their inferiors, ſuggeſted to the prince an act of prudent condeſcenſion, and inſtead of any intermediate ſolicitation, he applied directly to the parochial clergy for contributing to the expence of the public ſervice [14]. From the cuſtom of attending the ſynods, and expreſſing their approbation of the proceedings carried on there by the ſuperior clergy, and from the example of the ſovereign, who raiſed them in the ſcale of intereſt and reſpectability, the lower aſſembly came at length to enjoy the privilege of deliberating upon ſpiritual affairs, independently and in the firſt inſtance; and conſequently, to be recogniſed as a conſtituent member of the convocation. In conſequence of this change in the ſtate of the convocation, the orders of which it was compoſed were occaſionally ſeparated during the courſe of their deliberations. While ſpiritual affairs were treated of, the parochial clergy were preſent in the ſame houſe with the biſhops, but, when the buſineſs of ſupply was moved, they withdrew into another apartment. This mode of proceeding brought the eccleſiaſtical aſſembly, gradually, into a conformity with the civil legiſlature; and, as the impoſition of taxes

[14] The inferior clergy were firſt ſummoned to parliament on the 11th November 1282, by Edward I. Writs were directed to the archbiſhops of Canterbury and York, to oblige the clergy of the dioceſes, under their ſuperintendence, to attend the parliament at Northampton in the octaves of Hilary following. Thus the advancement of the lower clergy to a participation of legiſlative authority, proceeded from the ſame motive that induced Edward to call the burgeſſes to parliament.

The privilege of taxing themſelves, ſeparately from the laity, was reſigned by the clergy in the 17th of Charles II. when it was ſtipulated, that all rectors and vicars, who were to be taxed by the houſe of commons, ſhould vote in the election of members. This regulation was agreeable to the conſtitution and cuſtom of the convocation; for, when the inferior clergy were firſt recogniſed as conſtituent members of the convocation, the dean and priors not only appeared for themſelves, but were authorized to act in name of the capitular bodies, or the eccleſiaſtical chapters. But when their patrimonial intereſt came to be affected by contributing to the ſupplies, the capitular bodies grew jealous of their ſuperiors, who had a ſeparate intereſt; and to make them eaſy, they were indulged in the choice of one of their own members, to act as proxy for them, in the convocation. Kennet's Eccleſiaſtical Synod, p. 73. Lond. 1701.

In conſequence of the change introduced by the above ſtatute of Charles II. which was beneficial to the clergy, becauſe the rate of tax formerly paid by them was reduced, the meeting of the convocation ceaſed to be ſubſervient to the intereſt of the crown; and, as by the act of ſupremacy its power in ſpiritual matters was entirely ſubjected to the royal authority, its legiſlative depreſſion naturally followed, and, as a conſequence of this, its diſcontinuance or entire ſuppreſſion.

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was often the principal occaſion of the former being ſummoned to meet together with the latter, the inferior clergy, after the firſt diet of the convocation, carried on their deliberations on every ſubject, ſeparately, through the remainder of the ſeſſion, but ſtill ſubjected to ſuch regulations as implied their dependence upon the upper houſe [15]. From this farther reſemblance of the convocation to the parliament, aroſe the various topics of diſpute which divided the convocation, and of which I am now to give an account.

From the hypotheſis of the eccleſiaſtical aſſemblies having been framed upon the model of the civil legiſlature, the high church party contended, that the convocation poſſeſſed a conſtitutional right of meeting at the ſame time with the parliament; that the crown had not power to prorogue it, or to interrupt its proceedings, while the parliament continued ſitting; that it might enter upon buſineſs and make reſolutions without the royal licence; and that the canons framed by the king and convocation, were valid independent of the confirmation of parliament. On the ground of theſe propoſitions, the repreſentative clergy, who were generally of the high church party, contended, that, like the houſe of commons, they were a co-ordinate branch of the ſupreme, eccleſiaſtical aſſembly, independent, in their legiſlative capacity, on the biſhops, or upper houſe. Upon this baſis was erected their claim to the power of internal regulation, ſuch as chooſing their own preſident or prolocutor; interpoſing a negative upon the votes of the upper houſe; moving and determining queſtions of a ſpiritual nature, without permiſſion or authority from it; and alſo their right to hold intermediate ſeſſions, or continue their ſynodical functions, during the adjournment of the biſhops; to appoint committees; to grant leave of abſence to their members; and adopt ſuch forms as they judged moſt expedient for conducting their own buſineſs [16].

[15] Kennet, p. 120.

[16] Id. p. 23. Complete Hiſtory of the Convocation, p. 2, 3. Atterbury's Letter. Godolphin's Hiſtory of Eccleſiaſtical Synods.

The

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The long diſcontinuance of the convocation, during the late reign, ſtimulated the clergy to enter into an elaborate inveſtigation of its conſtitution and rights; and the party, which was offended at king William on that account, not only contended for the moſt ſtrained interpretation of eccleſiaſtical prerogatives, but were impatient to exerciſe them, when freed from the reſtraints of which they complained [17]. This deſirable period they foreſaw to be at no great diſtance, and from the pious zeal of the princeſs Anne, who was next heir to the crown, they anticipated the full reſtitution of all the rights of the eſtabliſhed church, when the reins of government ſhould devolve into her hands. The commencement of her authority was propitious to their wiſhes; ſhe ſummoned the convocation to meet with the new parliament; and gave them ſtrong aſſurances of every indulgence, favourable to the intereſt of the church, and the eccleſiaſtical order.

1702.

The ſeveral topics, which occupied this convocation, may be divided into thoſe of a political, and thoſe of a ſpiritual, or eccleſiaſtical nature. With reſpect to the firſt, the two houſes divided in the ſame ſpirit, and upon the ſame principles, with the lords and the commons, during the continuance of the firſt parliament. The prejudices of the biſhops were for the Whigs, and thoſe of the country clergy, for the Tories. The latter ſtruggled hard to introduce, into their joint addreſs to the queen, ſome phraſes derogatory to the honour of king William, which were rejected by the former

November.

[17] Burnet, vol. iv. p. 410. 478. London, 1725. King William's Affection to the Church of England, p. 11. Lond. 1703. See catalogue of the various publications upon this ſubject Biographia Britannica, vol. i. p. 335. Article Atterbury.

The upper houſe of convocation conſiſted of the biſhops, in number nineteen; the lower houſe conſiſted of the deans, archdeacons, and proctors from the parochial clergy, amounting to one hundred and thirty-ſix. Hiſtory of Europe, vol. viii. Appendix, p. 52.

The cathedral clergy were repreſented by one; the parochial, by two proctors of their own choice. Complete Hiſtory of the Convocation, p. 21.

King William was diſſatisfied with the convocation, which he had ſummoned, in the firſt year of his reign, for the purpoſe of making ſuch alterations in the liturgy and canons, as were likely to remove the ſcruples of moderate diſſenters; and was therefore averſe to calling another till he was conſtrained to do it by his Tory miniſtry in the year 1701. Burnet, vol. iv. p. 62.

with

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with indignation and firmneſs: though they concurred ſo far with the partiality of the lower houſe, as to expreſs their hopes of more extenſive favour to the church, from the well known principles and diſpoſitions of the preſent ſovereign [18].

13th Nov.

The lower houſe, at an early ſtage of the ſeſſion, applied to the biſhops for a recognition of their claim to hold intermediate ſeſſions, during the prorogation of the upper houſe. The power of proroguing the convocation, and ſiſting all proceedings in both houſes, had been uniformly exerciſed by the archbiſhop with the conſent of his ſuffragans, till the year 1701, when it was firſt called in queſtion [19]. Aware, that the renunciation of it would have amounted to the acknowledgment of a co-ordinate authority, inconſiſtent with the fundamental principles of epiſcopacy, the biſhops refuſed the deſire of the lower houſe; but promiſed to indulge them in the nomination of committees for preparing buſineſs during the interval of ſeſſions; and to exerciſe their own power of prorogation with ſuch prudent accommodation to circumſtances, as never to give any juſt ground of offence to the ſubordinate branch of the convocation. The majority of that deſcription, flattered with the hope of being ſupported by the united patronage of the miniſtry and the houſe of commons, would liſten to no compromiſe [20], and holding it

[18] Tindal, vol. v. p. 221. "They promiſed themſelves, that whatever might be "wanting to reſtore the church to its due "rights and privileges, her majeſty would "have the glory of doing it, and ſecuring it "to poſterity."

The Tory miniſtry, in the laſt year of king William, made a point of his permitting the convocation to enter upon buſineſs. This gave them opportunity of anticipating the ſcheme of procedure, which they expected to purſue, without moleſtation, under the ſucceſſor; and the meaſures adopted by the convocation, of which I am now giving an account, were a repetition or continuation of what was then begun. Burnet, vol. v. p. 542.

[19] Burnet, vol. v. p. 547.

[20] Impartial Hiſtory of the two laſt Parliaments, p. 347. The houſe of commons teſtified their reſpect for the lower houſe of convocation, reſolving, that the proſecution of Mr. Lloyd for the offence he had given them, by his interfering in the election for the county of Worceſter, ſhould not take place till his privilege as a member of the lower houſe of convocation was out; for which they received the thanks of that houſe.

Upon this, the commons reſolved, that they would, on all occaſions, aſſert the rights and privileges of the lower houſe of convocation. Journals Commons, 21ſt November. This reſolution was underſtood to be an open declaration

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1702. 2d Dec. 11th.

it unreaſonable, that their ſuperiors ſhould be the ultimate judges in a cauſe where their own prerogative was at ſtake, they propoſed a joint reference of it to the deciſion of the ſovereign. With this propoſal the biſhops refuſed to comply, becauſe, though aſſured that the iſſue would have been favourable for them under ſuch an arbiter, yet the very reference implied a doubt of their right, and violated that clerical ſubordination which they deemed eſſential to the epiſcopalian government. The perſons, who ſtood foremoſt in oppoſition to the long eſtabliſhed prerogatives of the biſhops, were all of the high church party [21], abhorrers of the proteſtant diſſenters, and zealots for the divine, apoſtolical inſtitution of epiſcopacy; and yet they were now contending for a meaſure, which levelled the diſtinction of ſacerdotal orders, and brought the church of England, in its legiſlative capacity, nearly into a ſtate of preſbyterian parity. Such palpable contradiction could not eſcape the moſt ſuperficial obſerver, and brought heavy cenſure upon the champions for the privileges of the lower houſe. In order to vindicate themſelves, they preſented a declaration to the biſhops, in which they diſavowed any favourable inclinations for preſbytery; ſolemnly recogniſed the ſuperiority of the biſhops, as of divine, apoſtolical inſtitution; and requeſted them to embrace the preſent opportunity of ſettling that doctrine, as the ſtanding rule of the church [22].

While the biſhops were deliberating on the anſwer to this addreſs, the lower houſe preſented a petition to the queen, requeſting that

ration of their partiality to that aſſembly, at a time when they were involved in a keen diſpute with their ſuperiors.

As a marked expreſſion of their confidence in the patronage of the houſe of commons, the lower houſe of convocation preſented their thanks to the former, for adopting the recommendation of the queen to provide for the augmentation of ſmall livings. Journals Commons, 15th February 1704.

[21] The diſputes which now embroiled the convocation, and ſpread through the whole body of the clergy, had firſt given riſe to the names of *High Church* and *Low Church*. Thoſe who ſupported the claims now contended for by the lower houſe of convocation, were called *High Church;* and thoſe who were on the ſide of the biſhops, and ſhowed moderation towards diſſenters, were called *Low Church*. Tindal, vol. v. p. 228.

[22] Id. p. 225.

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ſhe would condeſcend to take under her cognizance, and to determine, the ſeveral points in diſpute between them and their ſuperiors.

At the commencement of theſe diſputes, the queen was believed to favour the demands of the lower houſe; and the earl of Nottingham, the ſecretary of ſtate, exerted his influence in their behalf[23]; but their own violence betrayed them, and forfeited that patronage which had hitherto cheriſhed their hopes. Though the court might be regardleſs of thoſe claims which affected the prelatical authority, yet it could not behold with indifference that growing ſpirit of uſurpation, which threatened to aſſail even the prerogative itſelf. The biſhops, in anſwer to the addreſs of the clergy for declaring the divine inſtitution of epiſcopacy, while they ſcreened themſelves from the cenſure of lukewarmneſs about a point connected with the conſtitution of the church, at the ſame time brought the ſovereign into a participation of the diſpute, by replying, that, without a royal licence, they had no authority either to enact, or execute, any canon relative to doctrine or diſcipline. Such was the ſtate of buſineſs in

27th Feb. 1703. the convocation, when the ſeſſion terminated with the prorogation of parliament.

9th Nov. When the convocation met again with the ſecond ſeſſion of parliament, the lower houſe abſtained, for ſome time, from queſtions about their own privileges; and directed their principal attention to ſuch as were ſuitable to their profeſſional character, and calculated

8th Dec. to obtain popular approbation. They gave in a repreſentation to the biſhops, complaining of the uncontrolled licentiouſneſs of the preſs, and the relaxation of eccleſiaſtical diſcipline; and earneſtly ſolicited their powerful interpoſition for putting a ſtop to theſe evils[24]. They profeſſed conſcientious ſcruples about adminiſtering the ſacrament to unworthy perſons, as a qualification for office; but,

25th. glancing at the proteſtant diſſenters under this deſcription, they afforded too juſt ground for imputing their ſcruples to the narrow

[23] Tindal, vol. v. p. 226.

[24] Id. p. 436.

bigotry

bigotry of partiſans, rather than to that ſalutary and well directed zeal, which flows from the light of pure religion. In the ſame contracted ſpirit, they complained of permiſſion being given to diſſenting clergymen, to adminiſter baptiſm in private families, and of the dangerous increaſe of unlicenſed ſchools and ſeminaries of learning. CHAP. IV. 1703.

The biſhops, though unwilling to admit the facts ſtated by the lower houſe, approved of their repreſentation, as containing ſubjects which well deſerved the deliberation of the eccleſiaſtical courts, and ordered copies of it to be tranſmitted to the abſent biſhops, that they might, in the courſe of their dioceſan viſitations, take the proper ſteps to aſcertain and redreſs the evils complained of. The acquiſition of power was however too near the hearts of the high church partiſans, to admit of their paſſing over a whole ſeſſion without making ſome attempts for extending it. They ſent a paper to the biſhops, aſſerting the privilege of the convocation to be ſummoned as often as a new parliament was called; and alſo their own right, to make choice of a prolocutor and actuary; and to carry on buſineſs, notwithſtanding the prorogation of the upper houſe [25]. The purpoſe 1704. 11th March. 3d April. 10th March. 1703, 4.

[25] Tindal, vol. v. p. 439. The prolocutor was the foreman or ſpeaker of the lower houſe; the actuary was the clerk, who recorded the minutes of their proceedings.

In oppoſition to theſe claims, it was argued, that, in the original ſtate of the convocation, when the biſhops and clergy met in the ſame houſe, no ſuch offices exiſted; when, in conſequence of their ſeparation, it became neceſſary for the lower houſe to have one of their members to ſpeak in their name, or repreſent their proceedings to their ſuperiors, he was appointed or commiſſioned by the archbiſhop. After they came to be indulged in the election of their own prolocutor, it was only in conſequence of leave aſked and obtained from the archbiſhop, and the election was confirmed by him; nor could any other perſon be ſubſtituted as prolocutor pro tempore, without the archbiſhop's permiſſion. Complete Hiſtory of the Convocation, p. 63.

At the opening of the convocation, the archbiſhop ſtated the occaſion of their meeting, preſcribed the topics on which they were to deliberate, and fixed the place where the lower houſe was to meet. Id. p. 85.

The ſupreme and controlling authority of the archbiſhop over the lower houſe was continued through the whole ſeſſion; for he uſed to require their attendance, either in a body, or by their prolocutor, as he judged proper; and to recommend new ſubjects of deliberation, either to the whole houſe, or to committees; ſometimes reſtricting the number of members of the committees, and limiting the time for the diſpatch of the buſineſs referred to them; and ſometimes leaving theſe points to their own diſcretion; which variations are a proof, that a power was lodged with the archbiſhop to direct and ſuperintend the proceedings of the lower houſe; nor was this ever called in queſtion till the year 1689. Id. 107.

CHAP. IV. 1704, 5.

purpoſe of theſe claims was to veſt the lower houſe with powers analogous to thoſe of the houſe of commons; and thence eſtabliſh an independent authority. The archbiſhop, upon the approaching prorogation of the parliament, addreſſed the lower houſe in ſoothing terms upon the repreſentation, ſo far as it related to the diſcipline and reformation of the church, but ſtudiouſly avoided taking any notice of their claims to new privileges, on purpoſe to remove any handle of future altercation.

The conduct of the lower houſe in the third ſeſſion was ſo like to what it had been in the two preceding ones, that it is unneceſſary to enter into a full detail of their proceedings. They lamented the inactivity which retarded any remedy for thoſe irregularities upon which they had formerly animadverted; and, by inſinuating that this diſappointment did not ariſe from any want of zeal on their part, they directed the public cenſure againſt their ſuperiors. They not only renewed their claims to independence, but carried them into effect by holding intermediate ſeſſions; and when the archbiſhop admoniſhed them to diſcontinue a practice, which was an infringement of the undoubted right of the preſident, and contrary

5th April 1705. to the conſtant cuſtom of convocations, they inſiſted that they had not deviated from the ordinary forms of procedure and the reſpect due to their ſuperiors; and proteſted againſt his admonition, as void, and entitled to no obedience.

The rupture between the two houſes was now come to that criſis, which could admit of no compromiſe or conciliation, and conſequences might have enſued, injurious to the peace of the church and the credit of the eccleſiaſtical character, had not all farther proceedings been ſtopt by the diſſolution of parliament.

The journals of the lower houſe were finally depoſited in the office of the ſee, together with thoſe of the upper houſe. Id. p. 121. 127. It appears, however, that, from a very early period, the lower houſe had a right to put a negative on canons, conſtitutions, &c. ſo as to hinder them paſſing into ſynodical acts. Id. 172.

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Campaign 1705.—Diſtreſs of France.—Circumſtances unfavourable to the Confederacy.—Plan of the Duke of Marlborough for beginning Hoſtilities on the Moſelle.—Thwarted by the maſterly Preparations of Villars.—The Intereſt of the Allies declines in the Netherlands.—The Duke of Marlborough marches there.—The French retire within their Lines—which are ſucceſsfully attacked by the Duke.—The French poſt themſelves behind the Dyle.—Places taken by the Confederates.—Succeſs of Villars on the Moſelle.—Campaign in Italy.—Loſſes of the Imperialiſts there.—Efforts of Prince Eugene to join the Duke of Savoy.—Battle of Caſſano.—Campaign in Spain.—Progreſs of the Earl of Galway and the Marquis de Minas.—Arrival of the combined Fleet in Altea Bay.—Siege of Barcelona.—Fort Montjuick taken.—Barcelona ſurrenders.—Subſequent Succeſs of King Charles.—Activity of the Earl of Peterborough.—Operations of the Fleet.—The Duke of Marlborough viſits the Courts of Vienna, Pruſſia, and Hanover.

ILLUSIVE accounts of ſucceſs had hitherto flattered the vanity of the French nation, and made them ſubmit with patience to grievous burdens, compenſated, as they believed, by the extenſion of their empire, and the glory of their ſovereign. The fatal iſſue of the campaign 1704 could neither be ſuppreſſed nor palliated. Poverty and depopulation were viſible in every province; and diſcontent was ſpreading to ſuch an alarming degree among all orders, that the court found it neceſſary to reſtrain the preſidents of the provinces from the indiſcriminate publication of the events of the war, and even to prohibit the courtiers from converſing among themſelves upon the ſtate of public affairs [1]. To conceal the exhauſted condition of the treaſury, and to fill it more expeditiouſly from the pockets of the people, the value of the current ſpecie had been

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[1] Hiſtoire de Louis, tom. vi. p. 26, 7. Monthly Mercury.

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raiſed above its ordinary ſtandard; an expedient, which, after a tranſient ſuſpenſion of embarraſſment, aggravated the national diſtreſs by the ſubverſion of credit, and the obſtruction of commerce.

Pecuniary difficulties were not the only, nor indeed the principal ſources of popular diſaffection. Money might be withheld by artifice, and the rapacity of the court eluded; or it might be replaced by induſtry after the return of peace. But the perſons of his majeſty's ſubjects could not be reſcued from that fatal deſtination, to which ſo many thouſands had been devoted in the preceding campaigns. Fantaſtical ideas of honour began to vaniſh, and thoſe immunities, which had been wont to draw ſuch multitudes to the royal ſtandard, loſt all attraction, and were now profered in vain [2].

On the other ſide, the campaign 1704 did not give the confederates that advantage and decided ſuperiority, which might naturally have been expected from the ſplendor of their victories, and the humiliation of their enemies. The exertions of arbitrary power ſupplied the want of loyal zeal and voluntary obedience in France; and, to the aſtoniſhment of Europe, her armies entered the field, in the year 1705, as numerous and well equipped as they had been in any former year ſince the commencement of the war [3].

The depredations and calamities which afflicted the German provinces, the principal theatre of the war, damped the ardour with which they had begun it, and cramped their future reſources. The conſtant drain of men from the United States, for recruiting their ſhattered armies, proved ruinous to their manufactures; and ren-

[2] La levée des milices depeuploit les campagnes de ſujets le plus néceſſaires. J'aï vu dans mon enfance, ces recrues forcées, conduites à la chaîne comme des malfaiteurs. Memoires par Monſieur Duclos, p. 12. Paris, 1791.

[3] Lettres Hiſtorique 1704. Their cavalry, which had been almoſt entirely cut off, were quickly replaced by horſes purchaſed from the Swiſs. Many thouſand men, already trained to military duty, were draughted from the provincial militia for the armies in the frontiers and Netherlands. To animate a martial ſpirit, the king made the greateſt number of promotions in the army that had ever been known. Sixty lieutenant-generals, ſeventy field marſhals, twenty-eight brigadier-generals of foot, and fifteen of horſe, were appointed for the ſervice of the campaign 1705. Quincy, tom. iv. p. 181.

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dered them incapable of fulfilling their engagements to England and the emperor. The decay of commerce, and the ſcarcity of money, engendered a moroſeneſs and intractability, which excited internal diviſions, and circumſcribed the improvement of their paſt ſucceſs. Nor did reciprocal congratulations, upon their common proſperity, aboliſh that ſelfiſhneſs and jealouſy which ſubſiſted among the active members of the confederacy. The prince of Heſſe would not allow his troops to receive orders from any of the Dutch officers, leſt it ſhould be interpreted as a renunciation of that precedency which the Germans claimed; and the prince of Baden, by refuſing ſubmiſſion to the united counſels of England and the States, retarded, and ſometimes obſtructed, the execution of the moſt promiſing deſigns[4].

1705.

The duke of Marlborough, as has been mentioned in a preceding chapter, had formed the plan of opening the campaign 1705 on the frontiers of France. He quartered a great part of his army during the winter, in the electorate of Treves, and along the Sar; and magazines having been provided, and inſtructions communicated to the confederate generals, with a view to the execution of his purpoſe, he collected the Engliſh, the Heſſian, and a great proportion of the Dutch troops, and advanced to the vicinity of Sirik, where the marſhal Villars was encamped with the principal French army. A variety of circumſtances concurred to obſtruct the operations of the duke, in a quarter where he expected to gain the moſt illuſtrious renown, by giving a vital wound to the power of France, and puſhing the war into its interior provinces. The marſhal, to whom Lewis had wiſely conſigned the moſt critical ſtation, had prepared every means of defence, that the moſt maſterly genius, inſtructed by experience, and ſeconded by extraordinary efforts of diligence, could poſſibly effect. His camp was ſtrongly fortified; he had choſen the fitteſt poſts and avenues for preventing the approach of the allies to Sar Lewis, Thionville, and Luxemburg; he ſtrengthened

22d May.

[4] Barré, tom x. p. 457.

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ened the fortifications, and augmented the garriſons of theſe towns; and had ſwept away all the forage and proviſions in the neighbourhood. The natural ſterility of the ſoil, and the uncommon ſeverity of the ſeaſon, favoured his plan of defenſive war; and made it impoſſible for ſo large an army of the confederates to ſubſiſt there for any conſiderable time. Aware of theſe difficulties, the duke of Marlborough never would have attempted hoſtilities in that quarter, had he not been aſſured of a force far ſuperior to that of Villars, by the junction of the Germans under the prince of Baden. He employed the moſt earneſt entreaties and expoſtulations to perſuade the prince to haſten his approach; but he could not prevail. Under the preſſure of hardſhips which were daily increaſing, multitudes had deſerted from the confederate army. The duke was not in a ſituation to endure delay; and muſt have been under the neceſſity of relinquiſhing his plan of offenſive hoſtilities on the Moſelle, though the ſtate of the war had not now required his aſſiſtance in a different place [5].

In the Netherlands the intereſt of the allies was declining with a rapidity which gave the utmoſt alarm to the States. Huy ſurrendered to the count de Gaſſe. The marſhal Villeroy and the elector of Bavaria got poſſeſſion of the city of Liege, and were making progreſs in the ſiege of the citadel. The intelligence of theſe events obliged the duke to march thither with the utmoſt diſpatch [6]. The French generals, hearing of his approach, moved with precipitation from Liege to Tongeren; and ſoon after retreated within their lines

[5] Villars, tom. ii. p. 228, &c. Quincy, tom. iv. p. 495. Lediard, vol. i. p. 312. Hiſtorians give different accounts of the comparative ſtrength of the confederate and French armies. The confederates ſeem to have been ſuperior, though not in ſuch a degree, as to render it adviſable to attack Villars with the advantages which he poſſeſſed.

The author of the Memoires de Villars imputes the retreat of the confederates to a difference of opinion between the duke of Marlborough and the German commanders with reſpect to the plan of carrying on hoſtilities, tom. ii. p. 235, 6. But the duke of Marlborough, who was not reſerved in cenſuring his colleagues when they deſerved it, takes no notice of this circumſtance; and aſcribes his inactivity and diſappointment entirely to the failure of his friends in the performance of their promiſes. *Appendix*, N° IV.

[6] Hiſtoire de Louis, tom. vi. p. 55. Quincy, tom. iv. p. 499. The duke decamped from Elſt on the 17th June, N. S. and joined Monſieur d'Auverquerque before the 1ſt of July.

near

near Hildeſheim. The duke, having joined the Dutch army commanded by monſieur Auverquerque at Maeſtricht, immediately ordered a detachment from their united force to inveſt Huy; which ſurrendered in a few days [7]. 1705.

Upon the return of this detachment, the duke being anxious to employ the army in ſome bold exploit, to redeem the inactivity of the preceding part of the campaign, communicated to the Dutch general his deſign of entering the enemy's lines; and carried it into execution by a ſtratagem, which eluded the vigilance of Villeroy and the elector. The confederate army had approached ſo near the French lines, that the latter were naturally apprehenſive of being attacked. The great object of the duke was, to improve this apprehenſion to his own advantage, by withdrawing their attention from the place where he intended to break in upon their lines. On the 17th July, the Dutch troops were directed to march on the right of Villeroy's camp towards Bourdines on the ſide of the Mehaign, and ſoon after a detachment of ten thouſand men were ordered to draw up, and move in the ſame direction. From theſe movements the French general naturally concluded that the attack would be made by the confederate troops, on his right at Meffelen; and he was the leſs ſuſpicious of any feint, becauſe his lines were weaker and more expoſed there than in any other place, a circumſtance which, he ſuppoſed, had not eſcaped the piercing eye of his antagoniſt. He therefore concerted his plans, and made his diſpoſitions, with the view of ſecuring his camp, and ſtrengthening his lines in that quarter. In the night, the detachment of the confederate army, agreeably to the inſtructions it had received, ſuddenly faced about, and moved to the left of the enemy's camp, where it entered with little reſiſtance, at two barriers defended by a feeble guard [8]. The detatchment was ſuſtained by the cavalry led on by 18th July.

[7] Quincy, tom. iv. p. 502. Kane, p. 60.

[8] Theſe barriers were intended for the convenience of the country people paſſing and repaſſing. A gentleman, whoſe eſtate lay in the neighbourhood, gave the duke intelligence of them, and furniſhed him with guides for conducting the army thither.

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the duke of Marlborough; and the Dutch regiments, under the command of monſieur Auverquerque, immediately turned about, and came up in the rear. The enemy's cavalry, which had advanced with the utmoſt expedition to prevent the confederates paſſing the barriers, were confounded with the warm reception they met with, and obliged to retreat. The elector of Bavaria haſtened to the ſcene of action with the infantry, and renewed the engagement; but another detachment of the confederates having arrived, and formed behind the horſe, he was ſoon overpowered and driven back. Several ſtandards and ſome pieces of cannon fell into the hands of the conquerors; above a thouſand of the enemy were killed, and two thouſand made priſoners, of which number two hundred were officers. The Bavarian troops retreated in great order, and ſuſtained little additional loſs from the purſuit of the confederate cavalry, which was exhauſted with the fatigue of marching all the night [9].

The combined armies of the French and Bavarians, being driven from their lines, continued their march on the ſide of the Dyle, and poſted themſelves in a ſtrong camp at Parck, which covered Louvain and Bruſſels. The duke of Marlborough, not ſatisfied with the advantages of his late victory, amounting to nothing more than getting poſſeſſion of a few inconſiderable places abandoned by the enemy, and having no hope of bringing them to a pitched battle upon equal ground, projected a ſecond attack upon their lines,

18th Aug. and was making every preparation for carrying it into execution. But the deputies of the States, intimidated with the hazard of ſo bold an enterpriſe, reſiſted the importunity and expoſtulations of the duke with an inflexibility, which mortified his pride and diſappointed the ſanguine hopes he had entertained of cloſing the campaign with diſtinguiſhed glory [10]. The remaining operations of the

[9] Military Hiſtory of Marlborough, p. 172. Appendix to Annals of Anne, 1705. p. 45. Lamberti, tom. xiv. p. 19.

[10] Lediard, vol. i. p. 331. The duke was ſo much exaſperated by this diſappointment, that he wrote a letter to the States, Auguſt 19th, 1705, complaining of it as an affront to his authority, and reminding them of his paſt ſervices.

the army were confined to taking Soute-Leewe, Tirlemont, Sanduliet, levelling the enemy's lines, and fortifying their own outpoſts at Dieſt, Haſſelt, and Tongeren, in order to enlarge their winter quarters [11]. Dieſt was ſurpriſed and retaken by the Bavarians, while the confederates were engaged in the ſiege of Sanduliet [12]. 1705.

After the duke of Marlborough retired from the Moſelle, Villars gained ſeveral important advantages over the allies on the Upper Rhine. Being joined by Marcin, he forced the Imperial lines at Weiſſemburg, and laid all the neighbouring country under contributions; he obliged the Germans to abandon Sarbruck caſtle; to deſtroy their magazines, and blow up their fortifications at Treves. Homburg at the ſame time ſurrendered to the marquis de Conflans, at the head of a detachment from the army commanded by Villars [13]. June. July.

Theſe advantages were in ſome degree counterbalanced by the latter ſucceſs of the Imperialiſts under the prince of Baden. That prince, who had loſt reputation as a general, from his remiſſneſs at the beginning of the campaign, joined general Thungen in the camp of Stolhoffen, croſſed the Rhine, and advanced towards Haguenau, where Villars had poſted himſelf within ſtrong entrenchments. The prince made a bold and unexpected attack upon them, and obliged the enemy to retire with conſiderable loſs. Being afterwards reinforced by a body of Pruſſian troops, he ſtill preſſed upon Villars, who declined a general engagement, and gradually retired towards Straſburg. Druſenheim and Haguenau were inveſted by the Imperial army: the former ſurrendered, and the garriſon of the latter having propoſed terms of capitulation which were refuſed, 12th Aug. 28th. 24th Sept.

ſervices. The States, fearing the conſequences of his reſentment, ſent the penſioner of Amſterdam to make their peace with him; and ſoon after recalled general Schlangenbourg, who had adviſed the traverſing of his plan. Lediard, vol. i. p. 337. *Appendix*, N° V.

[11] Kane, p. 63. Hiſtoire de Louis, tom. vi. p. 61.

[12] Id.

[13] Villars, tom. ii. p. 243. Barré, tom. x. p. 471. Quincy, tom. iv. p. 536, 7.

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retired during the night towards Saverne, by an avenue where the town was open [14].

1705. The campaign in Italy was extremely unproſperous to the confederates. The caſtle of Villa Franca, and the forts of Sant Oſpitio and Montalban, were taken by the duke de la Feuillade; and the

April. inhabitants of the town of Nice ſubmitted to the French government, though the caſtle was ſtill retained by an Italian garriſon for the duke of Savoy. Verue ſurrendered to the duke of Vendoſme, after having endured a ſiege of ſix months, which was conducted by the ableſt French engineers [15]. The ſlowneſs and deficiency of the reinforcements promiſed to prince Eugene, who was again entruſted with the command of the German army in Italy, had almoſt provoked him to reſign, and prevented him from

11th May. relieving Mirandola, which was forced to capitulate, after having been long blockaded and cloſely beſieged for ſeveral weeks [16]. Diſappointed in the execution of that plan, with which he intended to begin the campaign, the next important object was to form a junction with the duke of Savoy, who was in danger of being ſurrounded by the enemy; or, if that could not be effected, to make a ſeaſonable diverſion in his favour. For this purpoſe the prince entered Breſcia, croſſed the lake of Garda, and advanced as far as Salo; and after ſeveral difficult marches, and ſome ſlight engagements with advanced parties of the enemy, he turned to Soncino,

July. of which he made himſelf maſter, as he did ſoon after of Uſtiano, Caneto, and Matcaria [17]. In proſecution of theſe advantages he was but little interrupted, as the chief occupation of the duke of Vendoſme was guarding the paſſes of the river Adda, to prevent the prince from reinforcing the duke of Savoy in Piedmont.

[14] Hiſtory of Europe, vol. x. p. 298. 352. Quincy, tom. iv. p. 555.
[15] Hiſtory of Europe, vol. x. p. 174. St. Simon, tom. vii. p. 63.
[15] Military Hiſtory of Eugene, p. 65.
[17] Id. p. 68. Hiſtoire de Louis, tom. vi. p. 42.

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An army under the command of the grand prior of France, the duke's brother, was ſtationed at the bridge over that river near the town of Caſſano, while the duke himſelf marched on the other ſide of the Adda, intently watching prince Eugene's motions. The prince, finding it impoſſible to croſs the river in face of the enemy, had recourſe to a ſtratagem, which had nearly accompliſhed the ſucceſs he deſired. By dividing his forces, and concealing his motions from the duke of Vendoſme, which the nature of the country rendered it eaſy for him to do, he found an opportunity of making a ſudden attack upon the grand prior's army. Although at firſt the French made a warm reſiſtance, yet being taken by ſurpriſe and in great confuſion, they ſoon gave way and fled acroſs the bridge, and the Germans began to ſhout in confidence of their having obtained a complete victory. But the duke of Vendoſme, having ſuſpected the prince's deſign from his changing his route, marched with great expedition, at the head of his cavalry, to ſuccour his brother, and meeting the flying army, he quickly rallied it, and renewed the battle with ſuch ardour, that he compelled the Germans in their turn to give way, and to repaſs the bridge [18]. 17th Aug.

After this engagement prince Eugene retreated to Treviglio, and remained maſter of the country between the Adda and the Oglio; but durſt not make a ſecond attempt to paſs the former, the enemy having erected fortifications upon its banks wherever it was fordable [19].

The duke of Savoy had evacuated Chivas ſoon after the duke de la Feuillade ſat down before it; and deſpairing of any immediate 29th July.

[18] Military Hiſtory of Eugene, p. 70. Feuquiers, vol. ii. p. 155. The duke of Vendoſme, with the French army, repaſſed the river; and the Imperialiſts kept the field of battle, or the ground from which the allies had firſt driven the grand prior. Tindal, vol. vi. p. 230.

The French prevented prince Eugene's deſign of joining the duke of Savoy; and the prince imputed their failure in undertaking the ſiege of Turin, the only place the duke now retained, to the loſs of the French at Caſſano. Salmon, vol. xxv. p. 262. Lond. 1734.

Both armies loſt a prodigious number of men, though it has been diſputed which of them ſuffered moſt. Compare Barré, tom. x. p. 460. Quincy, tom. iv. p. 613. The Paris Gazetteer, and Monthly Mercury of Auguſt, and the Hiſtory of Europe, vol. x. p. 316.

[19] Monthly Mercury, September.

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assistance from prince Eugene, fled to Turin, and put the fortifications there in a condition for the approach of a siege, which was evidently intended by the enemy [20]. Montmelian surrendered to the duke of Berwick. The citadel of Nice was besieged, but held out till the beginning of 1706 [21].

In Portugal and Spain, the arms of the allies were uniformly and illustriously successful during the summer 1705. The great proportion of French and Spanish troops which were occupied in the siege of Gibraltar enabled the Portuguese and allies, commanded alternately by the earl of Galway, and monsieur Fagel, to carry on an offensive war, by invading Spain on the frontiers of Beira and Alentejo. Valenza d'Alcantara, after the garrison had withstood

8th May. several assaults, was taken sword in hand; and the city of Albu-

22d. querque, alarmed by its fate, surrendered on terms of capitulation. The marquis de Minas, who was at the head of the Portuguese army in Beira, marched against Salvatierra, which was delivered up to him by the treachery of the governor [22]. The garrison of Sarca, hearing of his progress, evacuated the town, which was made a prey to the rapacity of the Portuguese soldiers, and afterwards consigned to the flames. Upon the approach of a superior army of French and Spaniards, the marquis was obliged to retire to Penamacos, after he had levied large contributions from the Spaniards [23]. Repeated attempts were made by the allies to get possession of Badajox, and frustrated by the expedition and good conduct of the marquis de Thesse [24].

The success of the allied armies in Valencia and Catalonia was still more distinguished and permanent. A variety of circumstances now concurred to impair the attachment of the Spaniards to king Philip; and rendered many persons of great influence in that king-

[20] Monthly Mercury, August.
[21] Quincy, tom. iv. p. 627.
[22] Id. p. 635. Monthly Mercury, May.
[23] Monthly Mercury, May. History of Europe, vol. x. p. 191.
[24] Monthly Mercury, June, October. Annals of Anne, 1705, p. 164. 170.

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dom favourable to the pretenſions of Charles. The aſcendancy of French counſels, the overbearing demeanour of their officers and nobility, and the contempt which the ſovereign himſelf indiſcreetly diſcovered for the maxims and habits of his new ſubjects, were highly diſguſting to the Spaniſh grandees who had hitherto befriended his cauſe. Their diſcontent had been expreſſed by remonſtrances to the miniſters of Philip, againſt certain innovations which they conſidered as diſparaging to their order, as well as to the honour of their native kingdom; and the neglect with which their remonſtrances were treated inflamed and animated their diſaffection. Several perſons were apprehended upon the ſuſpicion of a conſpiracy; and ſome were convicted and puniſhed upon the evidence of their having taken meaſures to ſupport the Auſtrian intereſt[25]. In conſequence of authentic intelligence relative to theſe facts, it was determined by the confederate commanders at Liſbon, that the combined fleet, with as many of the troops as could be ſpared from the grand army, ſhould make a deſcent in Catalonia, where king Charles had the greateſt number of friends[26].

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In proſecution of this deſign, it ſailed from Liſbon on the 22d June, received a conſiderable addition of troops from the garriſon of Gibraltar, and arrived at Altea bay, where Charles met with the moſt flattering omens of his future ſucceſs. Several thouſands of the people from the adjacent country flocked to his ſtandard, and anticipated his orders by ſeizing the town of Denia in his name. From this place the fleet directed its courſe to the coaſt of Catalonia: when it came in ſight of Barcelona, multitudes crowded to the ſhore, expreſſing the moſt joyful congratulations upon the approach of their ſovereign; and as a pledge of their future ſervices, 23d Auguſt.

[25] Berwick, vol. i. p. 258. St. Simon, tom. iii. p. 206. Annals Anne, 1705, p. 155.

[26] Salmon, vol. xxv. p. 263. The force attending king Charles conſiſted of eight thouſand foot and eight hundred horſe; the fleet of twenty-nine ſail of the line, beſides frigates, &c. Sir Claudſley Shovel commanded the fleet, and lord Peterborough the Engliſh troops. Lives of the Admirals, vol. iii. p. 86. Cunningham, vol. i. p. 432.

aſſiſted

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aſſiſted the troops to diſembark [27]. Notwithſtanding theſe promiſing appearances, there were juſt grounds for deliberating on the expediency of undertaking the ſiege of Barcelona. The garriſon, conſiſting of a body of veteran troops little inferior to the number of aſſailants, was amply furniſhed with every neceſſary for a long and vigorous defence, while the army of Charles was ſcantily provided in ſtores. The men who joined him from the country were raw and undiſciplined, and their fidelity and perſeverance extremely precarious and doubtful [28]. The obſtinacy of Charles, whoſe mind ſeems to have been more occupied by the conſequences of ſucceſs, than the difficulties which obſtructed the attainment of it, overruled the objections of the Engliſh and Dutch officers, and the reſolution was taken for inveſting the town [29]. The combined army, for the reaſons already aſſigned, was not in a ſituation to continue the ſiege for any conſiderable time; and the only method to ſhorten their operations, was a ſucceſsful aſſault upon the fort of Montjuic, which ſtood on the ſide of the hill above the town. This hazardous enterpriſe was ſuggeſted to the principal commanders by the prince of Heſſe, who at the ſame time undertook to conduct it, and to be anſwerable for its ſucceſs [30]. The hopes of the prince were encouraged by the deſerters, who informed him, that the defence of the fort was truſted to a weak guard, becauſe it was taken for granted, that its natural ſtrength would deter the beſiegers from

[27] Monthly Mercury, Auguſt.

[28] Carlton's Memorials, p. 86. Lond. 1728. Quincy, tom. iv. p. 648. Account of the Conduct of the Earl of Peterborough, p. 18. Lond. 1707.

[29] Cunningham, vol. i. p. 432. Tindal, vol. vi. p. 241. The earl of Peterborough, together with the reſt of the confederate generals, diſapproved of the ſiege; but afterwards, in complaiſance to king Charles, yielded to it. Compare Friend's Account of the Conduct of the Earl of Peterborough, p. 18. Impartial Inquiry, p. 30. Letter from on board the Britannia, 14th Auguſt.

[30] Lives of the Admirals, vol. iii. p. 88. Cunningham, vol. i. p. 432. Carlton, p. 90. The author of the Account of the Conduct of the Earl of Peterborough aſcribes the propoſal of making an attack upon Monjuic entirely to the earl; but, as he is evidently partial to his hero, and acknowledges that the earl incited the prince to aſſiſt in that action, I have followed the opinion of the generality of the hiſtorians. Compare Conduct of the Earl of Peterborough, p. 38, &c. with the authors above cited.

making

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making any attempt upon it. That the prince might fully avail himſelf of this intelligence, it was neceſſary to conceal his deſign of ſtorming the fort, till the very moment of carrying it into execution. The troops ſelected for this ſervice were led out on the night of the 13th September, on the ſide of Barcelona the moſt diſtant from the fort, and thence taking a compaſs, they aſcended the back of the hill on which it ſtood; and by an unexpected and impetuous attack upon the outworks, eaſily became maſters of them. Much however remained to be done, and the capture of the fort muſt have been difficult and uncertain, if a ſingular concurrence of fortunate circumſtances had not, at this critical moment, attended the arms of the allies. The commander of the fort was juſt preparing to ſally out upon the ſmall body of the combined troops which had firſt arrived, and which, being fatigued with climbing the hill and forcing the outworks, was incapable of making a ſtand, when hearing the name of the prince of Heſſe reſounded with loud and emphatical exclamation by ſome of the aſſailants, he concluded that that brave officer was coming up with additional force to ſupport the earl of Peterborough, and that it would be ſafer to remain upon the defenſive within his works[31]. The ſtorming of the fort muſt have been attended with great ſlaughter, and the iſſue of it uncertain, if one of the bombs thrown from the outworks had not fallen into the powder magazine, and occaſioned an exploſion, which deſtroyed the commander and ſome of the principal officers, and filled the garriſon with ſuch conſternation and horror, that they made a ſignal for ſurrendering, and delivered up the caſtle. After the town had been bombarded for a few days, don Franciſco Valeſco, the governor, was conſtrained by the importunity of the inhabitants, who were favourable to king Charles, to admit his troops

17th Sept.

4th Oct.

[31] Tindal, vol. vi. p. 251, 2. The exclamation alluded to was occaſioned by the death of the prince of Heſſe, who fell, leading on his men to the attack of the outworks, an accident which, if it had been diſcovered by the garriſon, might have re-animated its courage and proved fatal to the aſſailants.

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upon terms of capitulation [32]. The Catalonians now devoted themſelves to his ſervice, with every appearance of ſincerity, and, with the aſſiſtance of the Engliſh and Dutch forces, ſoon overran the principal towns, which were garriſoned with French troops. The whole province of Catalonia declared for the houſe of Auſtria. Tarragona, Tortoſa, Lerida, Gironne, Fort Roſes, and St. Matheo in Arragon, being weakly garriſoned, either voluntarily yielded, or made ſlight reſiſtance to the victorious confederates [33]. The enemy made an attempt to retake St. Matheo, and to cut off the communication between Catalonia and Valencia; but the earl of Peterborough, with aſtoniſhing expedition, marched to its relief, and afterwards extended the dominion of Charles over the whole kingdom of Valencia [34]. The boldneſs and enterpriſing ſpirit, or perhaps the temerity of this commander, the ingenuity with which he extricated himſelf from the moſt preſſing embarraſſments, his perſeverance and fortitude in ſurmounting the moſt threatening dangers, the rapidity and extent of his conqueſts, exhibit a ſeries of events the moſt intereſting and wonderful that occur in the annals of modern war [35].

When we ſurvey the ſucceſs of the Spaniſh campaign in a detached view, it is juſtly entitled to a very high degree of eſtimation.

[32] Tindal, vol. vi. p. 251, 2. Quincy, tom. iv. p. 649. Carleton, p. 108. Sir Claudſley Shovel had a great ſhare in the ſucceſs of the expedition againſt Barcelona, not only by bombarding the town from the ſea, but by ſupplying the earl of Peterborough with money for ſubſiſting the army out of the contingent and ſhort allowance money of the fleet, and with guns and ſhot, without which the ſiege could not have been carried on by land. The common ſailors exerted themſelves with wonderful alacrity; dragged the cannon and heavy mortars up the precipices, where horſes could not have gone. Carleton, p. 110.

[33] Id. p. 123. Berwick, vol. i. p. 265. Quincy, tom. iv. p. 651.

[34] Salmon, vol. xxv. p. 276. King Charles was near being aſſaſſinated after he became maſter of the city; and above a hundred, who had entered into a conſpiracy againſt him, were put to death.

[35] Account of the Conduct of the Earl of Peterborough, p. 205. The earl of Peterborough was the moſt remarkable man in his age for expedition, even where nothing of importance depended upon it. He is ſaid to have ſeen more kings and more poſtilions than any man in Europe. Walpole's Catalogue of Royal and Noble Authors, vol. ii. p. 126. See a conciſe and intereſting detail of the earl of Peterborough's exploits, Carleton's Memoirs, p. 124, &c.

Its

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Its conſequence, however, appears queſtionable, and is certainly leſſened, when we conſider, that as it was purchaſed by detaining the force deſtined for the relief of Italy, ſo it became the principal cauſe of the misfortunes of the allies there. It was the intention of the Engliſh miniſtry, that the army and fleet, under the command of the earl of Peterborough, ſhould have been employed to make a diverſion in favour of the duke of Savoy, by the attack of Naples and Sicily. The earl was prevailed upon, not without great reluctance, by the importunate ſolicitations of Charles, to abandon the original plan of his deſtination, and to co-operate in the reduction of Catalonia and Valencia [36]. He could not foreſee, nor could his moſt ſanguine friends have imagined, that a ſervice ſo replete with difficulties and hazards, was to be finally productive of ſucceſs and glory which have immortalized his name.

The conteſt for the crown of Poland continued during this campaign; and the force and activity of the revolted Hungarians ſtill occaſioned great fear and anxiety at the court of Vienna; and both theſe events diminiſhed the ſteadineſs and force of its exertions, in concurrence with the allies.

The operations at ſea have been, in a great meaſure, anticipated in the preceding pages. The ſuperiority of the confederate fleet in the channel deterred that of the French from coming out of Breſt; and the Toulon ſquadron, in conſequence of the damage it had ſuſtained in the engagement with ſir George Rooke, remained in harbour all this ſummer [37]. Twelve ſhips belonging to the Baltic trade, with their convoy conſiſting of three ſhips of war, were taken by the Dunkirk ſquadron, under the command of the chevalier de St. Paul [38]; but many of the French privateers being taken by cruiſers, the trade of England and Holland ſuffered leſs than it had

[36] Cunningham, vol. i. p. 431.
[37] Tindal, vol. vi. p. 269.
[38] Quincy, tom. iv. p. 662. Lives of the Admirals, vol. iii. p. 91.

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done in any campaign ſince the commencement of the war [39]. After the ſurrender of Barcelona, ſir Claudſley Shovel, having left a few ſhips with ſir John Leake in the Mediterranean, returned to England with the reſt of his fleet [40].

At the concluſion of the campaign, the duke of Marlborough went to Vienna, in conſequence of preſſing letters from the new emperor, in order to ſettle a plan for the next campaign [41]. The duke was well pleaſed with an opportunity of repreſenting to him the diſappointments and injuries which the grand alliance had ſuſtained from the remiſſneſs of his miniſters and generals; and to perſuade him to enter into terms of reconciliation with his ſubjects in Hungary, whoſe revolt diſtracted the exertions, and waſted the blood of the beſt troops of Germany. But, though the duke acquired the entire confidence of Joſeph, he had not the good fortune to ſucceed in the objects, to which his addreſs and maſterly talents for negotiation were now directed. The ſame liſtleſſneſs, delay, and treachery, marked the conduct of the Imperial cabinet during the ſubſequent years of the war; and, inſtead of endeavouring to reclaim his rebellious ſubjects by the adoption of lenient and moderate meaſures, the new emperor trod in the footſteps of his predeceſſor; and, by perſevering in haughtineſs and oppreſſion, rendered diſaffection more ſtubborn and furious.

[39] Burnet, vol. v. p. 841.

[40] Lives of the Admirals, vol. iii. p. 89.

[41] Military Hiſtory of Marlborough, p. 82. The emperor Leopold died at Vienna on the 5th May. Although he never had been in a camp, he was paſſionately fond of war; and, by the interpoſition of able generals, his reign was diſtinguiſhed by a greater ſhare of military glory than that of any of his predeceſſors ſince the period of Charles V.

His perſon was ugly, his manners rude, his temper monkiſh and ſolitary, but he penetrated inſtinctively into the talents and characters of men; and always made choice of miniſters and generals, the fitteſt for the employments he aſſigned them. All the intereſting events, which occurred in Germany and the ſurrounding ſtates, he improved with wonderful ſagacity to the aggrandizement of his own family: from the inceſſant proſecution of this object, he never was reſtrained by any obligations of honour and conſcience. St. Simon, tom. vi. p. 175. tom. vii. p. 67.

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The duke of Marlborough was more ſucceſsful in the viſits which he made to the courts of Pruſſia and Hanover, in his return from Vienna. He fixed the wavering diſpoſition of the king of Pruſſia, and perſuaded him to renew his treaty with the allies for the Pruſſian forces[42]. He removed the fears of the elector of Hanover, with reſpect to his ſucceſſion to the crown of England, the proſpect of which ſecured his fidelity, and invigorated his exertions in the ſubſequent campaign.

[42] The king of Pruſſia had grown cold to the alliance after the death of the queen his wife, 8th February 1705, who was the daughter of the elector of Hanover by the princeſs Sophia. The connection between theſe families was again renewed; and the king of Pruſſia's attachment to the alliance confirmed by the marriage of his ſon, the prince royal, to the princeſs of Hanover. *Appendix*, N° VII.

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Keen Competition between Whigs and Tories at the General Election.—Promotions in favour of the Whigs.—Meeting of the ſecond Parliament.—The Queen's Speech.—Choice of a Speaker.—Addreſſes.—Motion for inviting the Princeſs Sophia to England—Rejected.—Views of the Tories in ſupporting this Motion.—The Queen diſtreſſed by it.—Throws herſelf entirely into the Confidence of the Whigs.—Some of the latter, diſpleaſed with their Miniſterial Friends, vote with the Tories.—Court of Hanover takes Umbrage at the Whigs.—Regency Bill in the Houſe of Lords—Objections to it—Carried.—Act for naturalizing the Princeſs Sophia.—Motion for inquiring into the Miſcarriages of the laſt Campaign—Oppoſed by the Miniſtry.—Additional Supply voted on account of the Succeſs of King Charles.—The Queſtion concerning the Danger of the Church.—Debates.—Vote of the Lords againſt thoſe who inſinuated that the Church was in danger—Approved of by the Commons.—The Duke of Marlborough thanked.—Lancaſhire Petition.—A Bill for more effectually preventing the Growth of Popery—Rejected.—Complaint and Petition of the Inhabitants of Carolina.—Reſolutions of the Lords upon it.—Sir Rowland Gwyn's Letter.—Bill for correcting the Proceedings of the Courts of Law.—Supplies.—Acts, relative to Scotland, repealed.—Parliament prorogued.—Proceedings of the Convocation.—The Whigs and Tories Rivals at the Court of Hanover.—The Earl of Halifax ſent there.—Lays the Foundation of the Barrier Treaty.—Court of Hanover reconciled to the Whigs.

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THE contending factions, during the dependence of the elections, called the public attention to thoſe topics which ſeemed beſt calculated for rendering the prejudices of the voters ſubſervient to their own intereſted views. The Tories endeavoured to excite a general alarm for the ſafety of the church, as if it had been endangered by the ill deſigns and growing favour of their antagoniſts; and the Whigs were induſtrious in diſſeminating unfavourable impreſſions of the Tories, as unfriendly to the proteſtant ſucceſſion; to

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to the war ſo glorious for the nation; and to the freedom and independence of electors, a point which wounded the conſtitution in a vital part [1].

The former were aſſiſted by the country clergy, who were generally fired with that zeal which had broken out in the lower houſe of convocation; and the latter, by the proteſtant diſſenters of every deſcription, who united their exertions to prevent the ſuperiority of a party, which had nearly accompliſhed the extinction of their influence by the bill againſt occaſional conformity. The Whigs were indebted to a prevailing opinion among the electors, that the good wiſhes of the court were for them, rather than to any active or decided interpoſition of the miniſters in ſupport of their friends [2].

At the cloſe of the elections, it appeared that a majority of the new elected repreſentatives was in the intereſt of the Whigs; and the hopes of that party were ſtill farther encouraged by the promotions which took place during the interval of parliament. The privy ſeal was taken from the duke of Buckingham, and given to the duke of Newcaſtle: ſir Nathan Wright, who had long enjoyed the office of lord keeper, was diſmiſſed, and the great ſeal put under the cuſtody of William Cowper, diſtinguiſhed by his profeſſional ability and his zeal for the Whigs [3].

The ſecond parliament of queen Anne met on the 25th October 1705. The ſtrength of parties in the houſe of commons was ſoon tried in the election of the ſpeaker. Mr. Smith, a ſteady adherent to the Whigs, was recommended by the marquis of Granby, and Mr. Walpole; Mr. Bromley, who had been an able advocate for the bill againſt occaſional conformity, was propoſed by the earl of Dyſart, and ſupported by the moſt celebrated ſpeakers on the ſide of the Tories. A debate, of greater length than uſual on this ſub-

[1] Annals Anne, 1705. [2] Tindal, vol. vi. p. 273. [3] Id. p. 275. 277.

ject,

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ject, took place, and after the diviſion of the houſe, Mr. Smith was preferred by a majority of forty-three votes.

Her majeſty expreſſed her great ſatisfaction upon ſuch a full attendance of the members at the opening of parliament, as it afforded her ground to conclude, that they were all convinced of the neceſſity of continuing the war; and of the great importance of making timely preparations for it. Nothing, ſhe ſaid, could be more evident than that the balance of power would be deſtroyed, if the French king continued maſter of the Spaniſh monarchy, a proſpect in which no good Engliſhman could acquieſce; eſpecially, as, by the bleſſing of God on the allied arms, a foundation was now laid for reſtoring Spain to the houſe of Auſtria. She praiſed the firmneſs of the duke of Savoy, and the ſervices of the king of Pruſſia, and recommended both theſe princes to the generoſity of parliament. She informed them, that the ſtates in Scotland had paſſed an act for treating of an union; and that ſhe intended ſoon to appoint commiſſioners for entering on that buſineſs. She expreſſed deep concern to find, that ſome of her ſubjects were ſtill diſpoſed to foment animoſities, by repreſenting the church to be in danger; declared that ſhe conſidered all ſuch as *enemies to herſelf and the kingdom*; and promiſed to ſupport the eſtabliſhed form of religion, and to maintain the toleration.

1ſt and 6th November. Both houſes teſtified their high approbation of her majeſty's ſentiments, in the common forms of addreſs.

The Whigs were not aſhamed to retaliate upon their antagoniſts, by the partiality of their deciſions, relative to caſes of controverted elections; and increaſed their majority in the lower houſe from ſeventy to a hundred[4].

The lords and commons preſented ſeparate addreſſes upon the ſubject of the union, acknowledging her majeſty's care of the pro-

[4] Burnet, vol. v. p. 851.

teſtant

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teſtant ſucceſſion; and requeſting that all the papers, tending to throw light on the proceedings of the laſt ſeſſion of the Scottiſh parliament, might be ſubmitted to their inſpection.

1705. 13th Nov.

After the reading of theſe papers in the houſe of peers, lord Haverſham, who was now ſtriving for the fame of patriotiſm and of eloquence, entered into a long and vehement declamation upon the ſtate of the nation. He complained of the inactivity of the laſt campaign; and arraigned the treachery of the Germans, and the timidity of the Dutch, which had ſtopt the career of Engliſh glory. He lamented the decline of trade and manufactures, occaſioned by the culpable inattention of miniſters to naval affairs. He laid the principal ſtreſs of his ſpeech upon the advantages which would redound to the church and the kingdom, from the reſidence of the preſumptive heir to the crown in England; and concluded with moving for an addreſs to her majeſty for that purpoſe. The motion was ſupported by the leaders of the Tories, and oppoſed by the Whig lords in adminiſtration.

15th.

The moſt ſubſtantial arguments, brought forward by the advocates for the addreſs, were, the importance of the proteſtant ſucceſſion to the conſtitution; the obligations incumbent on the members of the legiſlature to promote it; the danger to which it would be expoſed upon the vacancy of the throne, while the deſtined ſucceſſor was at ſo great a diſtance, and his rival ſo near the ſcene of conteſt; and the hoſtile diſpoſition of Scotland, avowed and rendered formidable by the act of ſecurity.

The Whigs founded their oppoſition to the motion, chiefly upon its delicate nature, which excluded the interference of the legiſlature, unleſs it had been invited by the voluntary deſire of the parties concerned. As it had not originated with the queen, which it ought in propriety to have done, ſo the next ſucceſſor had expreſſed entire ſatisfaction with her majeſty's aſſurances to maintain the proteſtant ſettlement. The affections of the people of England alone afforded ample ſecurity for its final accompliſhment. The principal

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danger, impending from the act of ſecurity paſſed in the Scottiſh parliament, would be prevented by the union of which they had now a near proſpect [5].

Although the Tories were oſtenſibly defeated by loſing the queſtion, yet they were not diſappointed of the ends which they had in view by moving it. Finding that their early hopes of engroſſing the favour of the court were blaſted by a ſecret influence, and that even thoſe projects, which were congenial with the ſtrongeſt prejudices of the queen, as well as the fitteſt for eſtabliſhing their own pre-eminence, had been turned to their diſcredit, they now ſurrendered themſelves to the impulſe of a vindictive ſpirit; and were but little ſcrupulous about the means of gratifying it, provided they could ſucceed in giving diſtreſs to the ſovereign, and involving their antagoniſts in perplexity and reproach. A ſcheme, better adapted to theſe ends than the motion above mentioned, could not have been deviſed. The queen could not endure the thoughts of any of the electoral family coming to England, even for a tranſient viſit; but the proſpect of a rival court, and the reſidence of her ſucceſſor, filled her with dread and horror. That diſapprobation with which ſhe had for ſome time paſt beheld the political conduct of the Tories was now inflamed into the keeneſt indignation; her early prepoſſeſſions for them were entirely aboliſhed; ſhe unboſomed herſelf to her confidential friends, and expreſſed her readineſs to combine with any party, and to pay any price for being delivered from a condition the moſt humiliating and diſtreſsful into which royalty could ſink [6]. As the propoſal was in the higheſt degree offenſive to the queen, ſo it was urged by ſome of the principal ſpeakers in the moſt aggravating terms of rudeneſs and indignity. Her majeſty felt an irreſiſtible inclination to hear a debate, in the iſſue of which ſhe was ſo deeply intereſted, and expected, perhaps, that her preſence would reſtrain licentiouſneſs of ſpeech, and prevent any expreſſions

[5] Tindal, vol. vi. p. 287, 288.

[6] Conduct of the Ducheſs of Marlborough, p. 152.

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of perſonal contempt, which might afterwards hurt her ſenſibility and honour. But ſhe paid dear for her curioſity; and the royal preſence, inſtead of exciting impreſſions of awe and reverence, only contributed to ſharpen the acrimony of a faction, which had formerly erected the fondeſt expectations on her favour to them. The duke of Buckingham urged it as an argument for inviting the princeſs Sophia, who was now in the ſeventy-ſixth year of her age, that the queen might live till ſhe did not know what ſhe did, and be like a child in the hands of others [7].

Although the leaders of the Whigs availed themſelves of this favourable opportunity for rivetting the ſovereign in their intereſt [8], they did it not without immediate loſs of reputation, and the hazard of forfeiting for ever the confidence of the ſucceſſor. Their friends in the country, ignorant, or not approving of the prudential motives which now influenced their conduct, were aſtoniſhed and angry when they heard of the rejection of a meaſure that ſeemed to ſuperſede every other ſecurity for the proteſtant ſucceſſion, the primary object, to which all the zeal and exertion of the Whigs had been hitherto directed [9]. Under theſe impreſſions, ſome of the ſtaunch Whigs, in the upper houſe, voted with the Tories, in oppoſition to the miniſtry [10]; while others of their party ſupported them but coldly, from a ſenſe of the awkward ſituation into which they were now brought by the intruſion of their antagoniſts into the ground which they themſelves had hitherto occupied. But the greateſt embarraſſment, which the Whigs had to encounter at this time, aroſe from

7 Conduct of the Ducheſs of Marlborough, p. 159.

8 Her majeſty, upon this occaſion, expreſſed her ſentiments in the following words, in a letter to the ducheſs of Marlborough: "I "believe, dear Mrs. Freeman and I ſhall not "diſagree as we have formerly done; for I am "ſenſible of the ſervices thoſe people have "done me that you have a good opinion of, "and will countenance them, and am tho-"roughly convinced of the malice and inſo-"lence of them that you have always been "ſpeaking againſt." Conduct of the Ducheſs of Marlborough, p. 159.

9 Oldmixon, vol. iii. p. 368. Lond. 1735.

10 The archbiſhop of Canterbury and general Stanhope were of this deſcription.

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the unfavourable light in which they muſt appear to the court of Hanover. Being taken by ſurpriſe, they had no opportunity of preparing the electoral family for their apparent and temporary dereliction of its intereſt; and of preventing the ſhock which the firſt aſpect of their conduct was likely to produce. An invitation to the court of England, as it flattered the vanity of the princeſs Sophia, whoſe addreſs and vivacity rendered her eminently qualified for ſhining in the higher circles of life, and conciliating popular favour, ſo it appeared the moſt effectual expedient for guarding the act of ſettlement, and enſuring the future aggrandizement of her family [11].

15th April. After hearing of the fate of the motion, ſhe wrote a letter to the archbiſhop of Canterbury, one of the few Whigs who ſupported it, expreſſing more than ſuſpicions of the integrity of ſome who had been numbered among the friends of her family; and declaring her readineſs to comply with the deſire of the parliament, if they thought it for the good of the kingdom to invite her to reſide in England; and that ſhe wiſhed her ſentiments to be communicated, in order to prevent any idea of her being indifferent to the honour that had been intended for her [12].

The miniſters loſt no time in adopting the moſt effectual meaſures for removing the uneaſineſs of their friends, and demonſtrating their ſtedfaſt adherence to thoſe political principles which they had formerly maintained. As ſoon as the queſtion for inviting the princeſs Sophia to England was diſpoſed of, it was moved and reſolved, that the houſe ſhould conſider "what might be fitting for the preſervation of her majeſty's perſon and government, and the proteſtant ſucceſſion." In purſuance of this reſolution, a bill was brought in for appointing a regency, or commiſſion of lords juſtices, who, upon the event of the queen's death, ſhould be empowered to aſſume the adminiſtration of government, in name of

[11] Tindal, vol. vi. p. 296. [12] Idem.

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the abſent ſucceſſor; and that the parliament, if prorogued, ſhould immediately meet, and if diſſolved, that the laſt one ſhould revive and continue ſitting for ſix months [13].

The Tories expoſed themſelves to the cenſure of a double inconſiſtency, by oppoſing this bill, both on the ground of its being inadequate to the ſecurity of the proteſtant ſucceſſion, and, at the ſame time, of its relaxing thoſe reſtraints upon prerogative of which they now profeſſed to be exceedingly jealous. In the laſt objection, they were joined by ſome of the Whigs, who, more conſiſtently, diſapproved of the proviſion for continuing the parliament, becauſe it deſtroyed the incapacitating clauſe in the act of ſettlement, which they deemed an important improvement of the conſtitution [14]. This combined oppoſition rendered the progreſs of the bill in the houſe of commons tedious and difficult; and obliged the upper houſe to admit ſuch amendments, as brought the diſputes between the miniſters and their Whig friends to a compromiſe, by yielding, in part, to the deſire of the latter. After the regency act, a bill was paſſed with the utmoſt expedition for naturalizing the princeſs Sophia and her iſſue [15].

A motion

[13] Journals Lords, 15th, 19th November, &c. It was intitled, "An Act for the better Security of her Majeſty's Perſon and Government, and of the Succeſſion of the Crown of England in the Proteſtant Line." The archbiſhop of Canterbury, the chancellor, the lord high treaſurer, the preſident of the council, privy ſeal, high admiral, and chief juſtice of the King's Bench, were empowered to act in the name of the ſucceſſor till his arrival in England. The ſucceſſor himſelf was alſo empowered to nominate, by three inſtruments under hand and ſeal, ſo many perſons, natural-born ſubjects of England, to be added to thoſe above mentioned, to act as fully as if they had been particularly named by the parliament. Theſe three inſtruments were to be depoſited with the ſucceſſor's reſident, the archbiſhop of Canterbury, and the lord chancellor. Annals Anne, 1705. Appendix, N° XIX.

[14] By the act which firſt ſettled the ſucceſſion, it was declared, that when the crown ſhould paſs into the houſe of Hanover, no perſon, who had either place or penſion, ſhould be capable of ſitting in the houſe of commons; but the clauſe in the bill which empowered the exiſting parliament, or that which had been diſſolved, to ſit for ſix months, deſtroyed this limitation.

[15] The Tories, who oppoſed the bill, moved for various limitations to be impoſed upon the regents, namely, preventing them to conſent to the repeal of the act of uniformity,—the acts againſt Roman Catholics,—the ſettlement of the ſucceſſion of the crown in the houſe of Hanover,—the habeas corpus, &c. Journals Lords, 3d December. It deſerves notice, that the Whigs were inclined to deny the power of parliament to impoſe limitations upon the regency; but the judges were of opinion

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A motion was made in the houſe of lords, for inquiring into the miſcarriages of the laſt campaign, which had greatly diſappointed the expectations of the people; and for an addreſs to the queen, requeſting her to communicate the information which ſhe had received concerning tranſactions on the continent. The arguments, brought forward by the miniſters to evade this inquiry, evinced their conſciouſneſs, that the conduct of the allies could not bear that ſtrict ſcrutiny which the public intereſt required; and which, if it had been proſecuted at this time, might have proved a ſeaſonable check to abuſes, but too much foſtered by the connivance and forbearance of the Whig miniſters. It was repreſented, that the management of all buſineſs relative to the allies belonged entirely to the crown; that accidents, and the treachery of thoſe whom they employed, might be the cauſe of their failing in the performance of engagements, without any criminality being imputable to them; and that as they were not amenable to the juriſdiction of the Engliſh parliament, and could not be heard in their own defence, it would be unjuſt to proceed to reſolutions implying any cenſure of their conduct. To ſolace the allies for being ill treated by moving this

27th Nov. buſineſs, an addreſs was voted in the houſe of lords, and afterwards

28th. agreed to by the commons, beſeeching the queen to uſe her utmoſt endeavours to preſerve a good correſpondence among the confederates, and particularly to cultivate a ſtrict friendſhip with the United States. Both houſes were rendered more obſequious to the inclina-

that it might lawfully be done. Tindal, vol. vi. p. 295. Theſe limitations were all rejected, except the firſt, to which the miniſters conſented for ſake of peace, not expecting that any farther limitations would have been propoſed.

Many conferences paſſed between the two houſes, before the commons were prevailed upon to conſent to the bill. The peruſal of them will furniſh the reader with a compendious view of the principal arguments, relative to the important queſtion of reſtricting the eligibility of perſons in office under the crown. See Journals Commons, 24th January, 4th, 11th, 18th February. Journals Lords, 29th, 31ſt January, 11th, 19th February, 1706.

It was at length ſettled, that ſeveral offices, which were enumerated, ſhould diſqualify the perſons who held them for ſitting in the houſe of commons; and every member of the houſe, accepting of any other office, was to vacate his ſeat; but the electors were ſtill to have the option of returning him or not, as they pleaſed. Id. The regency bill was paſſed without commitment, in honour of the Electoral family.

tions

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tions of the miniſters, by the favourable accounts of the expedition againſt Spain, which were brought to London during the dependence of the above queſtion, and communicated to them by her majeſty in perſon, on the day the addreſs was preſented. The commons, in teſtimony of their joy, augmented the ſupplies; and voted the ſum of two hundred and fifty thouſand pounds, for enabling king Charles to complete his ſucceſs. 27th Nov. 30th.

The ſuperiority, which the leading party experienced in every queſtion that had already occurred, betrayed them into a forward and unneceſſary refutation of thoſe charges, which their antagoniſts were endeavouring to propagate to the diſcredit of their principles. The danger of the church, under the preſent adminiſtration, had been inſinuated by the Tories in the courſe of the different debates which took place on the ſtate of the nation. No ſpecific motion however had been introduced upon that point, nor did it as yet appear to make any impreſſion upon the people, who generally thought well of the preſent miniſters. But the latter were not content with a negative approbation of their conduct, nor did they chooſe to reſerve themſelves merely for defenſive hoſtility. They were determined to drag their enemies into the field of controverſy, and to enjoy the gratification of a triumph, by obtaining the explicit atteſtation of the legiſlature in their favour. In conſequence of a motion from lord Halifax, a day was appointed for inquiring into the danger of the church. 6th Dec.

By thoſe who ſupported the affirmative ſide of the queſtion, a diſtinction was made between the diſpoſitions of the queen, and thoſe of her miniſters; and between her influence and theirs. The former was admitted to be favourable, but the latter, which now abſorbed and overruled it, was repreſented as hoſtile to the eſtabliſhed religion. The proofs of this charge, as well as the impending danger of the church, were deduced from the oppoſition made to the bill againſt occaſional conformity; from the act of ſecurity in Scotland, which put arms into the hands of a people wedded

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to a religion, that had formerly ſubverted epiſcopacy in England; and from the rapid increaſe of diſſenting ſeminaries. Agreeably to that tone of politics which the Tories had recently adopted, they lamented that the eſtabliſhed religion, already in a languiſhing condition, had received a deep wound from the oppoſition of the party in power to the propoſal for inviting the princeſs Sophia to fix her reſidence in England.

On the other ſide it was argued, that the diſpoſitions and character of the ſovereign were a powerful guarantee for the ſafety of the church; that after her majeſty had often and ſolemnly declared her zealous attachment to it, any inſinuations to the contrary were diſparaging to her honour. The bill againſt occaſional conformity had been rejected, after deliberate diſcuſſion, in three ſeveral ſeſſions, from an increaſing conviction of its tendency to propagate diſunion and jealouſies among her majeſty's ſubjects. The act of ſecurity in Scotland related entirely to the civil intereſt of that kingdom; and whatever the apprehenſions of ſome perſons might be from its remote effects; yet as the repeal of that act was combined with the treaty of union, the ground of ſuch apprehenſions would ſoon be removed. The preſbyterian ſchools did not exceed, in number, thoſe taught by non-jurors, which yet did not give the ſmalleſt uneaſineſs to the perſons who were ſo much alarmed about the ſafety of the proteſtant ſettlement. As to the fatal conſequences ariſing from the defeat of the motion for bringing the Hanoverian family into England; it was obſerved, that the novelty of the argument rendered it ſuſpicious, and exhibited ſuch ſtrange verſatility of opinion in the perſons who had recourſe to it, as utterly deſtroyed the belief of their being themſelves in earneſt. For when the Hanoverian ſucceſſion was firſt propoſed, ſome of the high church zealots had objected to it, becauſe that family had been educated in a ſyſtem of faith and worſhip, tending to prejudice them againſt the Engliſh eſtabliſhment.

After

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After a diviſion of the houſe, thirty voted for the queſtion, and ſixty-one againſt it. It was reſolved, that the church was in a ſafe and flouriſhing condition; and that whoſoever ſhould ſuggeſt the contrary, was an enemy to the queen and the nation [16]. This reſolution the lords tranſmitted to the commons for their concurrence, which, after a debate, the ſame in ſubſtance with what has been already detailed, was carried by a conſiderable majority; and both houſes joined in an addreſs to the queen, beſeeching her, to take effectual meaſures for making their reſolution public; and for puniſhing the authors of ſeditious reports. The queen expreſſed her ſatisfaction with theſe meaſures, and immediately ordered a proclamation to be iſſued for diſcovering the author of the memorial of the church of England, which contained the moſt injurious reflections upon the conduct of the preſent miniſters, and the diſſenters [17].

11th Dec.

20th.

In conſequence of a petition from the gentry and clergy in Lancaſhire, complaining of ſeveral grievances ariſing from the increaſe of popiſh prieſts and emiſſaries, a bill was brought in by the houſe of commons, to render more effectual the act of the eleventh year of his late majeſty for preventing the growth of popery [18]. The clauſe in that act, relative to the deprivation of the Roman Catholic heir, owing to an obſcurity of expreſſion which was not intended by the framers of it, was the cauſe of great uncertainty with reſpect to the perſon who had the right of inſtituting the proſecution; and thereby reſtrained the activity of ſelf-intereſt, which was all that was wanting to render the law productive of the moſt cruel oppreſſion to

[16] Lords Debates, vol. ii. p. 160. Impartial View of the two late Parliaments, p. 40. Twenty-four of the lords, and two of the biſhops entered a proteſt againſt this reſolution.

[17] This pamphlet was compoſed by Dr. Drake, aſſiſted by Mr. Poley, Mr. Ward, and ſir Humphrey Mackworth; but no proof could be found againſt them. Biographia Britannica.

[18] Bills were introduced in both houſes immediately upon this petition. That from the lords was intitled, "A Bill for preventing the further Growth of Popery." Journals Lords, 28th February. That from the commons, which was the principal object of attention, was intitled, "A Bill for making more effectual the Act of the eleventh Year of His late Majeſty's Reign." Journals Commons, 27th February.

Roman

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Roman Catholic proprietors [19]. The intention of the preſent bill was to remove every check upon the operation of the former one; and this, as might be expected, occaſioned anxious applications to the court, from the Roman Catholics, to avert the conſummation of ſeverity with which they were threatened. The bill, however, though extremely exceptionable, both in a political and moral view,

4th March. was favoured with a third reading in the houſe of commons, and then rejected by a majority of one hundred and nineteen againſt forty-three.

27th Feb. 12th March. Both houſes addreſſed the queen upon the ſubject of the Lancaſhire petition; the commons, requeſting that the laws might be executed againſt all ſuch perſons as ſhould endeavour to pervert her majeſty's ſubjects to the popiſh religion; and the lords, recommending a ſtricter obſervation of popiſh prieſts and papiſts for the future; and deſiring a particular account of their number, eſtates, and reſidence to be laid before them next ſeſſion of parliament.

The only material interference of the Engliſh legiſlature with the internal government of America, during this reign, occurred in the preſent ſeſſion, and was occaſioned by ſome late regulations concerning religion, adopted by the governor and aſſembly in the province of Carolina, contrary to the original charter, and the fundamental conſtitution of the colony. By the former, while the eccleſiaſtical government, like that of the other colonies, was ſubjected to the biſhop of London, a proviſion was made for indulgence to every ſect of Chriſtians; and by the latter, framed agreeably to the regulations preſcribed by the charter, it was declared, that no perſon ſhould be diſqualified for being a member of the general aſſembly,

1689.

[19] By the act of the eleventh of king William, it was provided, that all papiſts, after they had reached the age of eighteen, ſhould take the oaths of allegiance and ſupremacy; and if they did not, their eſtates were to deſcend to the neareſt proteſtant heir. The Roman Catholics evaded this clauſe in two ways: 1ſt, There being, in all families, a gradation of age among the ſeveral heirs to the ſame eſtate, it happened, that though the perſon, who was come to the age of eighteen, did not take the oaths preſcribed by the law, yet the title of proteſtant heir remained undecided, as long as the next popiſh heir was under eighteen. 2dly, The difficulty of proving a negative, or that a perſon had not taken the oath, often prevented the next heir from attempting it, though he might be prompted by zeal, as well as intereſt, to ſupplant his popiſh relation.

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or for any civil office, on account of his religion. In violation of theſe equitable proviſions, the governor and aſſembly had lately paſſed an act, incorporating a body of laymen to take cognizance of the conduct of the parochial clergy, and to inflict puniſhment even to deprivation, not only for immorality, but for ſuch offences as might ariſe from prejudice or imprudence [20]. As, by this act, the authority of the biſhop of London was ſuperſeded; ſo the religious indulgence, granted by the charter, was defeated by another, diſqualifying every perſon for office, who did not receive the ſacrament according to the rites of the church of England; aſſigning erroneouſly as the ground of this reſtriction, that all the members of the legiſlature in the mother-country were obliged to ſubmit to the Teſt act. With unaccountable inconſiſtency, a proviſion was made by a clauſe of the ſame act, for exempting, from its penal threats, all non-conformiſts who were free to ſwear that they had not received the ſacrament, for one year preceding, in any diſſenting congregation. From theſe two contradictory regulations, it was ſuſpected, that the authors really meant to diſcourage every form of religion, rather than to depreſs all others for promoting the ſuperiority of a particular one. Several examples of irregularity and violence had occurred both in the election and proceedings of the aſſembly, highly injurious to the peace and intereſt of the colony, and conſequently to the trade and revenue of England. Theſe ſeveral grievances, for which redreſs had been in vain ſolicited from the governor and proprietors, were ſtated in a petition to the lords, ſubſcribed by a great number of the inhabitants of the colony, and London merchants trading there, praying for ſuch relief as ſhould appear proper.

1705, 6. 4th Nov. 1704.

28th Feb.

After hearing council in defence of lord Granvile, palatine of the province, the lords found that both the acts complained of, were repugnant to the original charter granted to the proprietors of

9th March.

[20] The inhabitants compared the corporation to the high eccleſiaſtical commiſſion court in England. Annals Anne, 1705, p. 230.

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the colony; that the former was inconſiſtent with the conſtitution of the church of England; that the ſecond was unfounded, and tended to the encouragement of irreligion and the depopulation of the province. They communicated theſe reſolutions in an addreſs to the queen, beſeeching her to proſecute the moſt effectual means for the relief of the province of Carolina. Her majeſty, in anſwer, expreſſed her ſenſe of the great conſequence of the plantations to England; and promiſed to do every thing in her power to redreſs her ſubjects in Carolina, and to protect them in their juſt rights.

12th March.

Notwithſtanding the regency bill, many Whigs were diſſatisfied with the miniſters for having ſlighted the propoſal of inviting the proteſtant heir to England; and ſome of them were not leſs induſtrious than the Tories in making it a handle for alarming the people. Among various publications to this effect, not one attracted greater notice than a letter written by ſir Rowland Gwyne, then at the court of Hanover, to the earl of Stamford, inveighing againſt the inconſiſtency of the Whigs, and inſinuating, that the electoral family was ſuſpicious of their having deſigns adverſe to its intereſt. The impreſſion made by this publication was the more conſiderable, and gave great uneaſineſs to the queen and the miniſtry, becauſe ſir Rowland was ſuppoſed to have the confidence of the electreſs.

8th. A complaint was entered againſt the letter in the houſe of commons, where, after mature conſideration, it was voted a malicious libel, tending to create a miſunderſtanding between her majeſty and her

9th. ſucceſſor; and it was reſolved, that her majeſty ſhould be addreſſed to give orders for proſecuting the author and publiſhers. The lords concurred with the reſolution of the lower houſe; and, that they might appear equally forward in this buſineſs, drew up the ad-

11th, 12th, 13th. dreſs to the queen, to which the commons agreed [21].

Upon

[21] Charles Gildon, the publiſher of ſir Rowland Gwyne's letter was tried by the queen's bench, 12th May 1707, and fined in the ſum of one hundred pounds, which was afterwards remitted.

The princeſs Sophia diſavowed, for herſelf and her ſon, their having any part in ſir Rowland Gwyne's letter. See her Letter, Hanover, 6th April 1706. Hanoverian papers. Macpherſon. The name of the perſon, to whom

Upon a motion of lord Somers, a bill paſſed in the houſe of lords for correcting *ſome of the proceedings* in the common law and chancery, which were attended with great delay and expence to the parties concerned. When the bill was tranſmitted to the houſe of commons, great exertions were made againſt it by perſons who were officially intereſted; and they prevailed in throwing out ſome of the moſt beneficial clauſes. The lords, unwilling to enter into altercation with the commons, or to forego the public advantages that were likely to redound from the bill, ſo far as it had been adopted by the latter, conſented to their amendments, though far ſhort of that extenſive reformation which was intended by the mover of it [22].

1705, 6.

4th March.

Large ſupplies were demanded this ſeſſion, and cheerfully granted [23].

To pave the way for the union between the two kingdoms, which was now anxiouſly deſired by the miniſtry, the ſeveral acts adopted by the laſt parliament, for guarding againſt any danger ariſing from the Scottiſh act of ſecurity, were repealed [24].

1706.

Her majeſty cloſed this ſeſſion on the 19th March 1706, with a ſpeech, expreſſing her entire ſatisfaction with the proceedings of both houſes, and particularly with their zeal and unanimity to ſuppreſs every tendency to ſedition [25].

The revival of the Whig intereſt, upon the eve of the general elections, did not produce any ſenſible effect upon the clerical body; and the majority of members in the lower houſe of convocation ſtill

1705, 6.

whom the letter of the electreſs was addreſſed, is not mentioned; but it was evidently intended that it ſhould be communicated, through Mr. Harley, to the queen. See alſo Letter of the Elector to Sir Rowland Gwyne, 12th April, 1707. Id.

[22] It was intitled, "An Act for the Amendment of the Law, and the better Advancement of Juſtice." Petitions againſt it were preſented by the clerks in the remembrancer's office, Exchequer, &c. Journals Commons, 14th February. The lords ſeemed very earneſt for this bill. Journals and Debates Lords, 11th, 19th March.

[23] The total amount of the ſupplies granted this ſeſſion, was five millions, eighty-ſix thouſand, ſeven hundred and ſixty-one pounds, ſixteen ſhillings and two-pence.

[24] Journals Lords and Commons, November 23d, &c.

[25] This was one of the buſieſt ſeſſions in the courſe of this reign; ninety-three acts, public and private, were paſſed. An uninterrupted harmony ſubſiſted between the two houſes.

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purſued that ſyſtem of meaſures which tended to degrade the authority of their ſuperiors. They not only declined joining in the addreſs of the biſhops to the queen, but haughtily refuſed to ſtate their objections to it, and voted for a ſeparate addreſs of their own [26]. They held intermediate ſeſſions, and claimed the power of putting their prolocutor in the chair without the confirmation of the archbiſhop. Their extreme violence diſguſted many of their own members, and provoked the indignant interpoſition of the court. Of the former, not leſs than a third part entered a proteſtation againſt the proceedings voted by the majority; and the queen wrote a letter to the archbiſhop, intimating her diſpleaſure at the conduct of the lower houſe, and requiring him to prorogue the convocation as long as appeared convenient [27].

1707. October

1705. 18th Nov.

16th Dec.

25th Feb. 1706.

1707. The rebuke of the ſovereign ſeemed at firſt to have anſwered the effect of overawing the litigious members of the convocation; for, at their next meeting, during the ſecond ſeſſion of parliament, the lower houſe unanimouſly adopted the addreſs to the queen, drawn up by the biſhops, though it acknowledged the church to be in a ſafe and flouriſhing condition [28]. This moderation however was but of ſhort continuance. When the queſtion of the union was about to come under the conſideration of the Engliſh parliament, a committee was named by the lower houſe of convocation to conſider the preſent danger of the church. To prevent an interference, from which every thing repugnant to the deſigns of adminiſtration and the public peace might have been expected, her majeſty directed the archbiſhop to prorogue the convocation for three weeks, taking

[26] Impartial View of the two late Parliaments, p. 355. The only precedent for attempting to carry a ſeparate addreſs, was in the 6th ſeſſion of the convocation 1689, when the lower houſe refuſed their aſſent to an addreſs to the king, drawn up by the biſhops; and afterwards reſolved to frame an addreſs for themſelves. Complete Hiſtory of the Convocation, p. 5. The claim, being new, was overruled by the biſhop of London, who preſided inſtead of the archbiſhop of Canterbury.

[27] Tindal, vol. vi. p. 341, &c.

[28] Id. p. 189, &c. What remains of the hiſtory of this convocation, being ſhort, and but little intereſting, is introduced in this place, though it be a deviation from ſtrict chronological order. The long ſuſpenſion of the convocation, after the facts which I am now going to mention, renders the introduction of them here more proper.

it

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1707.

it for granted, as it happened, that the buſineſs of the union would be brought to a concluſion before the lapſe of that period [29]. Piqued by this unforeſeen ſuſpenſion of their proceedings, at a juncture ſo favourable for raiſing their own conſequence, the lower houſe gave in a remonſtrance to the biſhops, grounded upon the allegation, that ſince the ſubmiſſion of the clergy in the reign of Henry VIII., no prorogation had ever been ordered during the ſitting of parliament; but at the ſame time, under the pretence of a delicate reſpect for the royal authority, they waved any debate concerning the validity of the preſent prorogation.

Her majeſty wrote a letter to the archbiſhop, threatening to reſent theſe proceedings, as an invaſion of the royal ſupremacy. When the biſhops ſent for the lower houſe to communicate her majeſty's letter, ſeveral of the members attended, but the prolocutor was abſent. Such a ſtudied expreſſion of contempt for the royal authority, 10th April. and that of the biſhops, could not be paſſed over with connivance and impunity. The archbiſhop pronounced a ſentence of contumacy againſt the prolocutor, but reſerved the puniſhment of his crime to a diſtant day; to which he prorogued the convocation, expecting, that ſuch forbearance would produce ſubmiſſion: but it had the contrary effect; for the lower houſe, upon their meeting 30th April. again, affected a mighty zeal for the ſupremacy, aſſerting that no proceſs, which had been commenced before a prorogation upon the royal writ, could be reſumed again after ſuch prorogation; and by this device, they hoped to defend themſelves under the ſhield of loyalty. Finding afterwards, that the court, inſtead of being ſoothed, was more than ever irritated by their grimace and audacity, the prolocutor made his ſubmiſſion, and the ſentence of contumacy was taken off [30].

From a conviction that theſe heats and contentions, which originated with the convocation, were ſpreading every day to the ſcandal of religion, and the diſturbance of domeſtic peace, the

[29] Tindal, vol. vii. p. 189, &c.

[30] Id.

queen

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queen was now determined to imitate the example of her predeceſſor, king William, by diſcontinuing all future meetings of the convocation. During the remainder of this, and the whole period of the next parliament, the convocation was prorogued from time to time, and prevented from entering upon buſineſs. Reſtrained from venting their polemical rancour under the ſhadow of legal authority, the turbulent clergy devoted themſelves, with unwearied application, to cheriſh the latent embers of fanaticiſm, ſcattered in every corner of the country, which, after the lapſe of a few years, broke out into the moſt violent combuſtion, and after convulſing the nation, conſumed the firm fabric of the Whig adminiſtration.

1706. After the riſe of the ſeſſion, the ſcene of party competition was transferred from London to Hanover. The Whigs were afraid of loſing irrecoverably the favour of the proteſtant heirs which they had hitherto engroſſed; and the Tories entertained ſanguine hopes of obtaining and keeping it, to the utter excluſion of their antagoniſts. Both made their court to that family, with the moſt ſolemn aſſurances of attachment and fidelity. The actual poſſeſſion of power was perhaps the principal advantage which the one enjoyed above the other: for the Tories were only in a ſituation to make promiſes, while the Whigs enjoyed the opportunity of taking effectual ſteps for the intereſt of the proteſtant candidate. Lord Halifax

May. was ſent ambaſſador to the court of Hanover, to bear the ſtrongeſt declarations of her majeſty's ſteady favour to it; and to preſent the electoral prince with the honour of the garter [31]. This nobleman was not leſs diſtinguiſhed by his addreſs and ability, than by his uniform zeal for the proteſtant ſettlement, and was conſidered by the miniſters as the fitteſt perſon to repreſent their conduct in the moſt favourable light, and to remove thoſe evil ſurmiſes which had been excited by the artifices of their enemies, and the myſterious part they had acted upon the queſtion for inviting the electreſs to

[31] Hiſtory of Europe, 1706, p. 213.

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England [32]. The regency, the act for naturalizing the princeſs Sophia, and the union, on the eve of concluſion, were claimed as the ſole and peculiar merit of the Whigs; and repreſented as exhauſting every expedient and precaution within the compaſs of their power, for enſuring the Hanoverian ſucceſſion [33]. As a farther evidence of their perſevering diligence, lord Halifax was inſtructed to wait upon the miniſters of the United States, in his way to Hanover, and to propoſe the ſcheme of a treaty to engage them to become guarantees for carrying into effect the proteſtant ſettlement, agreeably to the act paſſed by the parliament of England [34]. Though the dilatory forms of the States, with reſpect to the extenſion of their barrier, neceſſarily poſtponed the concluſion of this treaty, yet the endeavours of the Whig leaders at this time, were a ſtrong teſtimony of their attachment to the proteſtant family, and afterwards proved the means of accompliſhing additional ſecurity for its future aggrandizement. The good fortune of the campaign, owing to the maſterly conduct of the duke of Marlborough, corroborated every argument in behalf of that party, which he now avowedly patroniſed [35]. The electreſs and her ſon profeſſed the moſt grateful ſenſe of the ſervices of the Whigs; and, as thoſe tranſient miſunderſtandings, which occaſionally interrupt the pureſt friendſhips, contribute, after a reconciliation, to increaſe the fervour of future affection, ſo from this period the Whigs recovered the excluſive

[32] Lord Halifax carried with him letters from the principal members of adminiſtration to the electreſs and her ſon; all of which concurred in aſſigning the moſt inſiduous deſigns to the Tories, and aſſerting their own invariable and tried attachment to the proteſtant intereſt. Hanoverian Papers, 1706. Macpherſon.

[33] The electreſs at firſt conſidered the regency act, &c. merely as a matter of compliment; and intimated to the court of England, that it would be more agreeable to her, that the acts ſhould be tranſmitted to Hanover without any ceremony; and that the garter ſhould be ſent to her ſon by a herald. Letter of the Duke of Marlborough to the Elector, March 26th, 1706. Hanoverian Papers. Macpherſon.

[34] The duke of Marlborough co-operated with lord Halifax to perſuade the States to become guarantees for the proteſtant ſucceſſion. Letters of Lord Halifax to Mr. Harley. *Appendix*, N°s VII. and VIII.

[35] The news of the victory obtained by the duke of Marlborough over the French at Ramillies, arrived at the court of Hanover while lord Halifax was there.

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confidence of the houſe of Hanover; and lord Halifax returned to England with the ſatisfaction, not only of having been the inſtrument of making peace for his friends, but of having, by the ſteps he had taken with the Dutch miniſters, intereſted their conſtituents in the defence and confirmation of the proteſtant ſettlement, a point about which he was more ſeriouſly ſolicitous than many of his political friends, who maintained the ſame external profeſſion of zeal [35].

[35] *Appendix*, Nos VI. VII. VIII. IX.

CHAP. VII.

State of the Belligerent Powers at the Opening of the Campaign 1706.—*Motions of the Confederate Troops under the Duke of Marlborough.—Battle of Ramillies.—Brabant and the Spaniſh Netherlands ſubmit to King Charles.—Campaign in Italy.—Battle of Calcinato.—Siege of Turin.—Motions of Prince Eugene.—Battle of Turin,—of Caſtiglione.—Campaign in Spain and Portugal.—Barcelona inveſted by the French and Spaniards.—King Philip flies to Perpignan.—King Charles marches to Saragoſſa.—Progreſs of the Earl of Galway and the Marquis de Minas.—They advance to Madrid, which ſubmits to King Charles.—His unaccountable Delay in advancing to Madrid.—King Philip returns there,—the Earl of Galway retreats.—Villars forces the Germans to paſs the Rhine,—raiſes the Siege of Fort Louis,—gets Poſſeſſion of all the Poſts of the Enemy from the River Mote to Spirebach.—Succeſs of Sir John Leake in the Mediterranean.—Loſſes of the Engliſh in the Weſt Indies.—Victories and increaſing Reputation of the King of Sweden.*

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NOTWITHSTANDING the prodigious loſs which the French had ſuſtained by their defeat at Blenheim, yet, in the following ſeaſon, as we have already ſeen, the war was carried on, nearly, with equal ſucceſs by both parties. The advantages obtained by the French in Italy may, perhaps, be eſtimated as equivalent to thoſe of the

the allies in Spain. In the Upper Rhine, the uncontrolled progreſs of marſhal Villars, after the departure of the duke of Marlborough to the Netherlands, was not repaired by the victory of the prince of Baden at Haguenau. The ſucceſsful exertions of the army, under the duke of Marlborough in the Netherlands, were checked by the timidity of the Dutch, and amounted to little more than balancing the effects of marſhal Villars' activity at the beginning of the campaign.

Recent events during the interval of action revived the hopes of the French king, and diſcouraged thoſe ſanguine expectations which the allies erected upon the ſucceſs which they had already obtained. The armies of France were recruited with aſtoniſhing celerity; the promotions and honours, which the French king conferred upon the commanders, excited a ſpirit of emulation and enterpriſe among the ſubaltern officers, and produced great energy in the ſeaſon of action. The magazines, in every diſtrict under the authority of France, were formed with ſkilful arrangement, and amply furniſhed with all the ſtores neceſſary for the enſuing campaign [1].

The principal powers of the alliance not only found great difficulty in replacing the loſs of men; but were likely to ſuſtain an irreparable deficiency by ſome of the mercenary troops withdrawing themſelves from their ſervice. Notwithſtanding the late interpoſition of the duke of Marlborough with the king of Pruſſia, ſuſpicions were ſtill entertained of that prince having an intention to abandon the confederacy; and the Danes, under the duke of Wirtemberg, after they had, in vain, ſolicited payment of the arrears due to them by the States, formed the reſolution of returning to their own country [2]. The inconveniences and diſcouragements, which the

[1] Quincy, tom. v. p. 2, &c.

[2] A competition was at this time depending between prince Charles of Denmark, the king's brother, and the duke of Holſtein Gottorp, about the ſucceſſion to the biſhopric of Lubec. The king of Sweden, and the elector of Hanover, ſupported the latter, who had taken poſſeſſion of the biſhopric. The king of Denmark, incenſed againſt the elector, was preparing for the field in defence of his brother; but the queen of England, and the States, prevailed upon him to wait for the

deciſion

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the allies had hitherto encountered from the flowneſs and torpor of the court of Vienna, were aggravated by the indolence and diſſipation of Joſeph, who did not feel that perſonal reſentment againſt Lewis, nor that anxiety for the aggrandizement of his brother, which occaſionally ſtimulated the efforts of the late emperor. The pride and indolence of king Charles, whoſe authority had been lately acknowledged by ſome of the Spaniſh provinces, rendered him incapable of improving his good fortune with ſagacity and diſpatch, neceſſary to enſure its ſtability [3].

The moſt ſincere friends of the confederacy were filled with uneaſy apprehenſions, leſt the inceſſant intrigues and artifices of Lewis ſhould prevail in disjointing it by the alienation of ſome of its members. The duke of Savoy, however, reſiſted the moſt alluring offers for ſeparating from the emperor, with a ſteadineſs which could hardly have been expected, conſidering his domeſtic connexions, and the provocations he had met with. The king of Portugal himſelf remained true to the allies; but ſome of his courtiers were ſecretly debauched to the French intereſt, and, though they durſt not openly contradict the will of their ſovereign, yet they might find many opportunities of retarding and thwarting thoſe plans, which he authorized for promoting the general intereſt of the confederacy. The declining ſtate of the king's health, which obliged him to devolve the weight of buſineſs upon his miniſters, increaſed the number of Philip's ſecret friends, and gave a more ample ſcope to their intrigues and exertions [4].

On the other hand, it was fortunate for the allies, that the probable grounds of future ſucceſs were over-rated by Lewis, and betrayed him into thoſe raſh and precipitate meaſures, which rendered

deciſion of the Aulic council. Barré, tom. x. p. 478. The aſpect of this affair encouraged the French court to hope that the grand alliance would be weakened by internal diſcord.

[3] Hiſtoire de Louis, tom. vi. paſſim.

[4] Annals, Anne, 1705, p. 163. In conſequence of the indiſpoſition of Don Pedro, preſent king of Portugal, his ſiſter the queen dowager of England, widow of Charles II. had been appointed regent; and acquitted herſelf with great fidelity and attachment to the allies. She died on the 31ſt December, 1705.

the

CHAP. VII. 1706.

the events of the campaign 1706 the moſt diſaſtrous and diſgraceful he had ever experienced. The moſt brilliant victories of the allies, in the preceding campaigns, had been obtained in inſtances where they had begun the attack, and while the enemy had remained upon the defenſive; and ſometimes even when the latter had a ſuperior army, and the advantage of ground. From attention to this fact, as well as other circumſtances favourable to their hopes, it was determined in the French cabinet, that their chief commanders ſhould be inſtructed to act, in future, with greater boldneſs; and to try the ſucceſs of active hoſtilities[5]. The intelligence of the Daniſh auxiliaries having withdrawn from the allied army ſtill farther confirmed this reſolution of the French court; and a meſſenger was diſpatched to marſhal Villeroy, with poſitive orders to loſe no time in advancing from his lines, and opening the campaign with a general action, while the confederate army was weakened and diſpirited by the deſertion of ſuch a conſiderable body of their aſſociates. The genius of the duke of Marlborough was not more diſtinguiſhed, either by the maſterly diſpoſitions he made upon the approach of an engagement, or the coolneſs and ſagacity with which he iſſued his orders in the heat of action, than it was, by readineſs in the contrivance of ſtratagems, and penetration in diſcovering and improving every incident, tending to deceive and confound his antagoniſts. The report of the defection of the Danes, the duke did not refute, while he was employing the moſt anxious expoſtulations to pacify and reconcile them; and at length prevailed, by pledging the credit of England for the ſecurity of their arrears[6]. In order to conceal his ſucceſs, the knowledge of which might perhaps have ſtopped the progreſs of Villeroy, who had come out of his

[5] Quincy, tom. v. p. 2. St. Simon, tom. vii. p. 327—9.

[6] Hiſtoire de Louis, tom. vi. p. 79, 80. Cunningham, vol. ii. p. 16. Salmon, vol. xxv. p. 298. Lewis had been intriguing with the king of Denmark during the winter, to prevail upon him to withdraw his troops till the Dutch paid the arrears due to them; and, at the ſame time, he was ſecretly uſing endeavours to prevent the Dutch from ſatisfying their demands. Cunningham, vol. i. p. 463. If this was really the caſe, his diſappointment probably aroſe from the addreſs of the duke of Marlborough in counterplotting.

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lines and croſſed the Dyle, the duke, when he marched with the confederate army from Borchloen, left the Danes behind him, with inſtructions to follow, after a ſhort time, and approach ſo near to the main army, as to be ready to join it upon the eve of an engagement [7].

The adverſe armies, alike diſpoſed to try the fortune of a pitched battle, moved nearer and nearer to each other, till they met in the neighbourhood of the village of Ramillies [8].

The enemy had the Mehain, and the village of Tavieres on their right; and, at a little diſtance in their front, the village of Franquenies. In theſe villages, four battalions and a few ſquadrons were poſted, and between the villages, two lines of foot were drawn up, interſperſed with dragoons. Foreſeeing that the principal battle would be fought on the plain ground between Franquenies and Ramillies, which lay to the right, twenty battalions were poſted there with a few pieces of cannon. The ground upon the left, which was contiguous to the Geet, being ſwampy, and almoſt impaſſable, no more than a ſingle line of infantry was placed behind it [9].

This diſpoſition of the enemy ſuggeſted to the duke of Marlborough, a manœuvre, upon which the ſucceſs of the day principally hinged. He ordered his right wing to march towards the left of the enemy, which was thinly manned, as if he really meant to begin the attack in that quarter, notwithſtanding the diſadvantage of the ground. The marſhal Villeroy, deceived by this appearance, detached a great body of his beſt troops from the plain, to ſuſtain the left wing; which occaſioned a ſudden derangement in the

[7] Lediard, vol. i. p. 353.

[8] In the diſtrict of Louvaine, on the borders of the province of Namur, ſituated at the ſource of the Geet, at the diſtance of more than a mile from the Maine; and in this interval of plain ground the battle was fought. Lediard, vol. i. p. 356.

The army of the allies conſiſted of a hundred and ſeventeen ſquadrons and eighty battalions. Kane, p. 64. Quincy ſays, that the army of the two kings was greatly inferior to that of the allies. Tom. v. p. 5.

[9] Kane, p. 64.

centre.

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centre. The duke of Marlborough, expecting this to happen, had given orders to his troops, on the right, to fall back gently, without changing their front, and then to advance ſuddenly towards his centre, which charged the enemy on the plain, with the greateſt vigour, while monſieur Auverquerque began the battle on the left with the Dutch infantry. Four brigades of foot were ordered to make an attack, at the ſame time, upon the village of Ramillies [10].

In the meanwhile, the duke of Wirtemberg, agreeably to the inſtructions he had received, came forward with the Daniſh cavalry, and attacked the flank of the enemy, near the village of Franquenies, with ſuch ardour, that he puſhed them upon the troops in the centre, which increaſed their confuſion, and occaſioned their giving way in all directions. The elector of Bavaria made every effort to rally them, and renew the engagement; but, in their preſent trepidation and perplexity, this only contributed to multiply the number of the ſlain. The eight battalions, which had been placed in the village of Ramillies, in attempting to retreat towards the left wing, were oppoſed, before they had time to draw up, by the cavalry of the allies, and the greateſt part of them put to the ſword. Monſieur Auverquerque, having alſo routed the right wing of the enemy, the victory was complete [11].

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[10] Kane, p. 64. Lediard, vol. i. p. 356.

[11] The accounts given by the different hiſtorians with reſpect to the diſpoſitions of the two armies are ſo inconſiſtent, that it is not eaſy to form a decided opinion upon the ſubject. I have preferred the authority of Kane, becauſe Quincy agrees with him ſo far, as to admit that the ſucceſs of the confederates was greatly owing to the feint made by the duke in attacking the left wing of the enemy, with the purpoſe of drawing ſome of their beſt troops from the right. Quincy, tom. v. p. 6. Cunningham ſeems to lay great ſtreſs upon the ſtratagem of bringing up the Danes unexpectedly to the left wing of the confederates; vol. ii. p. 18. Fouquiers imputes the loſs of the battle to the obſtinacy of Villeroy in adhering to his firſt diſpoſition, and not adjuſting it to the plan of attack obviouſly intended by the confederates, vol. ii. p. 169. This ſeems to contradict the account, which aſcribes his defeat to the confuſion, occaſioned by moving part of his troops from the centre to the left wing, where he ſuſpected that the duke of Marlborough intended to begin the attack. All agree in this, that the duke of Marlborough gradually ſtrengthened his left wing, oppoſed to the centre and right of the enemy; and that this was done with ſuch addreſs and alertneſs as to elude the obſervation of his antagoniſt.

The French and Bavarians loſt eight thouſand men in the field; ſix thouſand were made priſoners; and ſome thouſands deſerted to the allies.

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The elector of Bavaria, and the marſhal Villeroy, with their ſhattered army, continued their flight with the utmoſt precipitation, till they reached Louvain; from whence, after a ſhort conſultation, they retreated, and entrenched themſelves behind the Dyle. The activity and prudence, with which the duke of Marlborough improved this victory, were no leſs admired than his conduct in the ſcene of action. The rapidity with which he purſued the vanquiſhed enemy prevented their forming again in ſuch force, as to obſtruct his progreſs; while his moderation and humanity procured him the eſteem, as well as the ſubmiſſion of all the towns in the Netherlands, which had been overrun with the French troops. The priſoners were ſent into the interior parts of Holland; and ſupplied with every comfort their ſituation required; and the ſick and wounded lodged in hoſpitals, and attended with as much care and tenderneſs, as thoſe of the allies. A proclamation was iſſued, recommending all the inhabitants of the Spaniſh Netherlands, without diſtinction, to the protection of the confederate army, as the ſubjects of king Charles, their common friend and ally; and the ſevereſt penalties were announced to deter the ſoldiers from plunder and violence [12].

A letter, in name of the duke of Marlborough and the field deputies, was addreſſed to the States of Brabant, inviting them to embrace the preſent opportunity of acknowledging king Charles, and

allies. The loſs of the latter did not exceed three thouſand. The duke of Marlborough made ſeveral narrow eſcapes in the courſe of this engagement. He fell from his horſe, and was in danger of being trampled down by ſome of his own men, who were repulſed by the enemy. Captain Moleſworth with difficulty remounted him, and turned his horſe's head to the line of the allies. He had not left the ground three minutes when a detachment of the enemy arrived in purſuit of him. Biographia Britannica. Moleſworth.

[12] The humanity which the duke of Marlborough exerciſed towards the unhappy perſons, who fell under his power by the fate of war, reflects the higheſt honour upon his character. His conduct in this reſpect is the more praiſe-worthy, becauſe it was unuſual at that period; and, to his example, poſterity is indebted for the introduction of a more refined tenderneſs in the intercourſe of hoſtile armies, which has greatly alleviated the unavoidable calamities of war.

Marlebouroug, bien different du prince Eugene, eut toujours la plus grande egarde pour ſes priſonniers, et donna l'exemple de procedés d'humanité qui ont régné depuis dans les guerres. Duclos, vol. i. p. 9.

aſſuring

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assuring them, upon the authority of the queen, and the States of Holland, that he would maintain their religion and privileges inviolate. These soothing measures, together with the celerity of the duke's motions, rendered the effects of the late victory more extensively beneficial to the allies, than any former instance of success. The submission of Brabant, and almost the whole Spanish Netherlands, was accomplished within fifteen days after the battle of Ramillies. Mechlin, Louvain, Brussels, Alost, Ghent, Oudenarde, and Antwerp, surrendered without resistance; and the assembly of Flanders, convened at Ghent, recognised king Charles as their lawful sovereign. Ostend, Menin, Dendermond, and Aeth, were reduced by force, and at a considerable expence of men[13].

The distinguished reputation, and the success of the duke of Vendosme, made the French king resort to him, as the last hope for retrieving his ruined affairs[14]. He was recalled from Italy, and appointed to the principal command of the army in the Netherlands, reinforced with the best disciplined troops, amounting to one hundred and fifty-five squadrons, and seventy-three battalions; but, though Vendosme seldom erred from excess of caution, he found it expedient to remain inactive in his camp behind the Dyle, not even attempting to interrupt the confederates in carrying on the siege of Menin, which capitulated on the 20th of August[15]. The duke of Marlborough closed this memorable campaign, by demolishing all the old lines, which had been the barrier to France since their conquests in the Netherlands[16].

In Italy, every prospect was flattering to France at the beginning of this campaign. The castle of Nice surrendered to the duke of

[13] St. Simon, tom. vii. p. 337. Lediard, vol. i. p. 382. 407. 413.

[14] The duke of Vendosme, grandson of Henry IV. was bold, intrepid, and of a quick apprehension; but effeminate, and addicted to pleasure; and did not concert his measures with deliberation and depth. His affability, condescension, and benevolence, gained the hearts of the common soldiers, who would have laid down their lives for his honour. Age of Lewis XIV. vol. ii. p. 280. St. Simon, tom. ii. p. 254. See the patent of the duke of Vendosme, Annals, Anne, 1706, p. 165.

[15] Lediard, vol. i. p. 415—18.

[16] Kane, p. 70.

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Berwick on the 14th January. The Imperial army, quartered in Lombardy, was weakened by the deſertion of ſome thouſand Bavarian ſoldiers, who retaining their affection for the elector, had found opportunity to return to his ſervice [17].

Although prince Eugene had been ſucceſsful beyond his expectations, in raiſing funds for recruiting the Imperial army in Italy, and providing every neceſſary for the campaign [18]; yet his long detention from the field, occaſioned by the exertions neceſſary for theſe ends, afforded the duke of Vendoſme an opportunity of attacking the
19th April. Germans with great advantage at Calcinato, where, after an obſtinate engagement, he obtained a complete victory. The Imperialiſts loſt three thouſand men in the field, and as many were made priſoners; ſeveral pieces of cannon, and all their baggage were taken [19]. This defeat, followed by the diſperſion of the Imperial army, and the ſiege of Turin, begun with ſuch ample preparations as ſeemed to enſure its ſucceſs, deprived the duke of Savoy of every hope of reſtoring his affairs, or even of retaining a ſingle poſt in Italy at the end of the campaign [20]. Taking it for granted, that Turin
July. would be under the neceſſity of ſurrendering, he left the city, and was purſued for ſeveral weeks by the duke de la Feuillade, who, being unable to overtake him, returned to the ſiege, which, from that
28th Auguſt. time, was carried on with uninterrupted vigour. Prince Eugene was informed of the defeat of the allies at Calcinato, when he had advanced as far as Roveredo, with a reinforcement of ten thouſand re-

[17] Barré, tom. x. p. 496. The Bavarian were treated with mercileſs ſeverity by the emperor after the battle of Blenheim; and it was not to be expected, that they would miſs any opportunity of deſerting from his ſervice.

[18] Prince Eugene borrowed a large ſum of money, in the name of the emperor, from England. A ſubſcription was opened for this purpoſe at London; and the queen granted letters patent, ſtating the importance of it; and appointing certain perſons for receiving the contributions. Barré, tom. x. p. 496. Annals, Anne, 1706, p. 125.

[19] Barré, tom. x. p. 496.

[20] The army, under the duke de la Feuillade, conſiſted of ſixty-eight battalions, and eighty-eight ſquadrons, two hundred and fifty officers of artillery, eight hundred gunners, two hundred and fifty bombardiers and miners, and four thouſand pioneers. Ammunition, inſtruments, and ſtores, of every kind, for carrying on the ſiege, were provided in the ſame vaſt proportion. Tindal, vol. vii. p. 50, 1.

cruits

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cruits from Germany. He collected the reverſion of the vanquiſhed army, and all the troops that could be ſpared from the garriſons in Breſciano and Trentino, and poſted himſelf at Gavardo [21]. Here he formed the arduous deſign of advancing to the relief of Turin. He was at a great diſtance from that city: the fords of the Adige, the Mincio, and the Oglio, were guarded; and all the ſtrong poſts in the country, through which his march lay, occupied by the enemy. But, ſuppoſing it poſſible for him to effect a junction with the duke of Savoy, there ſeemed little probability that Turin could hold out till that event, or, if it did, the vaſt ſuperiority of the French army ſtill checked every hope of ſucceſs, ſhould he have the temerity to engage it. All theſe difficulties were ſurmounted. Prince Eugene moved with his troops from the Venetian Alps; and, after a march of two hundred miles, which he performed in twenty-four days, he arrived in the duke of Savoy's country. Difficulties, more formidable than diſtance, were encountered in the courſe of this march: he croſſed four great rivers; he pierced through the lines which the duke of Vendoſme had drawn from the mountains to the ſea; he drove ſuperior numbers of the enemy before him with precipitation. The fatigues of long marches were aggravated by hunger, and the extremity of heat. He prevailed in many ſkirmiſhes againſt the enemy, and, at length, gained ſeveral days march upon the duke of Orleans, who had advanced from his camp at Turin to intercept him. On the 1ſt September, he joined the duke of Savoy; on the 7th, attacked the duke of Orleans, and the marſhal de Marcin, in their entrenchments, and gained a ſignal victory [22].

Two

[21] Barré, tom. x. p. 498.

[22] Lettres Hiſtoriques, May, October. Barré, tom. x. p. 499. Duclos ſays, that the defeat of the French at Turin was owing, entirely, to the bad conduct of the duke de la Feuillade. The duke of Orleans adviſed him to march out of the trenches, to attack prince Eugene, but Feuillade perſiſted in his reſolution of receiving the attack; and Marcin, though of the ſame opinion with Orleans, durſt not contradict Feuillade, becauſe he was the ſon in-law of Chamillart, who, at that time, had the entire confidence of the king. Duclos, tom. i. p. 5, 6. Quincy, tom. v. p. 161. Political Annals, London. vol. ii. p. 45, 6. Marcin died of his wounds.

Three thouſand French were killed in the field, two thouſand deſerted after the battle, five

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Two days after the battle of Turin, the allies experienced their ſhare of bad fortune, in loſing the battle of Caſtiglione. The Landgrave of Heſſe had begun the ſiege of that fort, and confiding in the ſuperiority of his army, marched out to meet the count de Medavid, who approached to relieve it. But, though his cavalry fought with advantage at the beginning of the engagement, his infantry ſhrunk from the impetuoſity of the French troops; and, after having loſt two thouſand men in the field, beſides fifteen hundred taken priſoners, with all his artillery and ſtandards, he was forced to retire to the Adige [23]. If this engagement had happened ſooner, it certainly would either have prevented the battle of Turin, or given a different turn to its ſucceſs. All the effect, however, it produced, was to retard, for a ſhort time, the progreſs of the duke of Savoy and prince Eugene, who reduced all the places poſſeſſed by the enemy in Piedmont, Montferrat, and the Milaneſe [24].

The campaign, in Spain and Portugal, forms a perfect contraſt to that in Italy; and as the latter exhibits the wonderful effects of fortitude and perſeverance in repairing the greateſt diſaſters, ſo the former affords an example of the baneful tendency of ſecurity and indolence, in traverſing the moſt proſperous fortune, and blaſting the faireſt hopes.

The French king, upon hearing of the progreſs of the allies in Spain, ſent great reinforcements, and a ſufficient quantity of all kind of ſtores from Provence, for opening the campaign with the ſiege of Barcelona [25]. After the arrival of the French fleet from Toulon, the marſhal de Theſſé began the ſiege on the 2d of April, and was ſoon after joined by king Philip. The preſence of king Charles in the town overawed the inhabitants, who wiſhed to ſurrender, and animated the garriſon to defend it with perſeverance and ſucceſs, beyond

five thouſand were made priſoners, three thouſand were killed by the peaſants in the mountains. Lettres Hiſtoriques, Oct. 1706.

[23] Hiſtoire de Louis, tom. vi. p. 123. St. Simon, tom. vii. p. 295—7.

[24] Idem.

[25] Lives of the Admirals, vol. iii. p. 99. St. Simon, tom. vii. p. 228.

what

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what could have been expected from their number; for they were only three thouſand. The earl of Peterborough, returning from Valencia, threw a body of freſh troops into the city; and retarded the progreſs of the beſiegers, by haraſſing their ſkirts and outpoſts with his little army. Montjuic was taken; a breach was made in the walls of the town; and the enemy were juſt preparing to ſtorm it, when ſir John Leake arrived with the confederate fleet from Liſbon [26]. 8th May. The French admiral, upon intimation of his approach, cut his cables, and ſailed for Toulon.

The alarm which ſtruck the beſiegers upon the arrival of the Engliſh fleet, and the ſudden deſertion of their own, was wrought up into a dreadful panic by an eclipſe of the ſun, from which their 12th. ſuperſtitious prejudices led them to conclude, that the countenance of Heaven was frowning upon their deſign [27]. They marched off in great haſte, leaving behind them an immenſe quantity of baggage, and all their ſick and wounded, whom they earneſtly recommended to the mercy of their enemies. King Philip continued his flight till he arrived within the French territory at Perpignan [28].

All the counſellors of king Charles were now agreed, with reſpect to the expediency of his marching to the capital, where there could be no doubt of his being proclaimed king. Different opinions however were ſuggeſted concerning the ſcheme of his march, or the road he ought to purſue; ſome recommending the neareſt and moſt expeditious, and others that which was ſafeſt, though it might poſtpone the time of his arrival at Madrid. This diſtraction of counſels, the unſteadineſs of Charles himſelf, and the animoſities excited among his friends, were the ruin of all his meaſures, and undid all the ſucceſs he had already obtained. In compliance with the advice of the earl

[26] Conduct of the Earl of Peterborough, p. 37—53. Lives of the Admirals, vol. iii. p. 101, 2. Carleton, 146.

[27] In alluſion to this incident, the reverſe of the medal ſtruck by order of the queen upon this occaſion, repreſented the ſun in eclipſe over the city and harbour of Barcelona, alluding to the pride of the French monarch, who had aſſumed the ſun as his device. Tindal, vol. vii. p. 33. King Charles commemorated this ſignal deliverance, by an anniverſary thankſgiving.

[28] St. Simon, tom. vii. p. 233. Cunningham, vol. ii. p. 3, 4.

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of Peterborough, king Charles, after long heſitation, determined to purſue his journey to the metropolis, through the province of Valencia; and he had advanced with his army as far as Tarragona, when, hearing of the favourable diſpoſition of the people of Arragon, he ſuddenly changed his purpoſe, and marched to Saragoſſa, the capital of that province [29].

While the ſiege of Barcelona was carried on by the French and Spaniards, the confederate army, under the earl of Galway and the marquis de Minas, had advanced from Portugal to Eſtramadura; and were inveſting Alcantara. The duke of Berwick, who commanded the French army on the frontiers of Spain, was not in force to oppoſe them; and, the court being under great apprehenſions, he had received orders not to remove too far from Madrid [30]. Alcantara, ſurrendering after a ſhort ſiege, Muralcia and Coria alſo ſubmitted to the confederates. After this ſucceſs, they croſſed the Tagus, and advanced to Placentia [31]. The earl of Galway, flattered with the proſpect of entering Madrid without any obſtruction, publiſhed a
20th April. manifeſto, in name of the queen, inviting the Spaniards to acknowledge king Charles; and promiſing to protect them againſt his enemies. The ſanguine hopes, which the earl derived from his paſt ſucceſs, were now damped by the timidity and backwardneſs of the Portugueſe troops, who, being yet ignorant of the French having abandoned the ſiege of Barcelona, refuſed to march to Madrid, under the pretext of its being their primary duty to defend their own frontiers. Agreeably to this reſolution, they marched to Cividad Rodrigo, which they inveſted. Though weakly fortified, it held out for
26th May. ſeveral days, and ſurrendered upon honourable terms [32]. Hearing then of the ſucceſs of the confederates at Barcelona, the Portugueſe army was perſuaded to rejoin the earl of Galway, and to move towards

[29] Conduct of the Earl of Peterborough, p. 59—75, &c. Carleton, 157. This ill-judged reſolution of Charles, was imputed to the advice of the Conde de Cifuentes. Conduct of the Earl of Peterborough, p. 95.

[30] Berwick, vol. i. p. 282.

[31] Id. p. 288.

[32] Id. p. 292.

Madrid,

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Madrid, where king Charles was expected. The duke of Berwick retreated as the confederates advanced, and, without any reſiſtance from the inhabitants of the country, who deſpaired of king Philip's being able to recover his power, they proceeded to Madrid, which ſubmitted to king Charles [33]. 24th June.

King Philip, after retiring to Perpignan, had formed the deſign of marching round about by the way of Navarre to Madrid, to prevent, by his preſence, the revolt of the capital; but the duke of Berwick, finding it neceſſary to retreat into the interior parts of the country, Philip withdrew again to the confines of France [34]. 21ſt

Every thing now aſſumed the moſt favourable aſpect for king Charles. The French and Spaniſh army was not only inferior to that of the confederates, but in want of money and proviſions [35]; Toledo declared for him; and it was expected that the whole province of Caſtile would quickly follow its example. The cardinal Portacarrero, who had been the moſt zealous inſtrument of ſupporting king Philip's authority [36], now ſubmitted to king Charles, and profeſſed to devote himſelf faithfully to his ſervice in future [37]: all the courts began to adminiſter juſtice in his name; and nothing ſeemed wanting to ſecure his authority againſt all reverſe of fortune, but his perſonal preſence, and taking the reins of government into his own hands. The earl of Galway ſent repeated expreſſes to king Charles, repreſenting the importance of his haſtening to the capital. He was regardleſs of expoſtulations and entreaties, and blind to his own intereſt: he remained at Saragoſſa immovable, as if he had been chained there by the ſupernatural power of inchantment. His conduct appeared ſo infatuated, and ſo repugnant to every ſentiment of honour, as well as to the dictates of prudence, that it eaſily procured credit to a report of his having died ſuddenly in that place [38]. Exaſperated by his

[33] Berwick, vol. i. p. 298.

[34] Hiſtoire de Louis, tom. vi. p. 98. Salmon, vol. xxv. p. 323.

[35] Berwick, vol. i. p. 304.

[36] St. Simon, tom. vii. p. 239.

[37] Letter of the Cardinal to the Marquis de Minas. Monthly Mercury, Auguſt.

[38] Hiſtoire de Louis, tom. vi. p. 98. Witneſſes

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his folly, his friends ſoon became indifferent to his ſucceſs; the hopes and courage of his enemies revived. His indolence and ſloth were rendered more glaring and ignominious by the activity and expedition of Philip, who collecting quickly a great body of troops on the frontiers of France, returned to Madrid on the very day fixed for the triumphant entry of his rival [39].

4th Aug.

The earl of Galway, deeming it too great a hazard to come to an engagement with an army far ſuperior to his own, which was now diſpirited and provoked by the infatuation and ingratitude of its ally, retreated towards Arragon as ſoon as he heard of the approach of Philip. Toledo, Salamanca, and moſt of the towns which had ſubmitted to Charles, renewed their allegiance to the former. The earl of Galway, and the marquis de Minas, joined king Charles at Guadalaxara; and, in a few days after, the earl of Peterborough arrived there with five hundred dragoons; but the criſis of their proſperity had been ſported away, and was now irrevocable. Their communication with Portugal was cut off; Alcantara was retaken: all that remained for them to do, was to arrange their poſts, and

neſſes were not wanting to ſwear that they had ſeen him embalmed and interred. Lamberti, tom. xiv. p. 258.

Although king Charles was brave and active, when puſhed to extremity, yet he was naturally of an indolent temper; he ſaw diſtant dangers in a magnified form, and was eaſily turned from his purpoſe by the occurrence of unexpected difficulties. Indolent men generally follow the advice of others. The Spaniſh grandees, of a proud and independent ſpirit, could not bear the idea of having their king placed upon the throne by the agency of foreigners. The brilliant exploits of the earl of Peterborough, they beheld with an envious eye; and oppoſed his counſels, becauſe, if the king had ſucceeded by them, the earl would have arrogated the ſole merit of accompliſhing the principal object of the war. Cunningham, vol. ii. p. 5. 12. 14.

The pride of Charles operated to the injury of his intereſt, in a way ſtill more puerile and contemptible. His finances were ſtraitened; and he choſe rather to forego the fruits of his paſt ſucceſs, and to put all to hazard, than enter his capital, without that extravagant pageantry, which, as he thought, became the inauguration of ſo great a prince. Idem.

As the conduct of Charles was ſo ſingularly imprudent and abſurd, the ingenuity of hiſtorians was put to the ſtretch to account for it; and, among other cauſes, it is not ſurpriſing, that the power of gallantry, which has ſo often quenched heroic ardour, was called in upon this occaſion, and the wavering, contradictory, procraſtinating purpoſes of the victorious prince, were aſcribed to the violence of his affection to a lady at Barcelona. Tindal, vol. vii. p. 37.

[39] Berwick, vol. ii. p. 319.

eſtabliſh

eſtabliſh their quarters on ſuch a plan as to ſecure Arragon and Catalonia; to maintain an open and ſafe approach to Caſtile, and a communication with the ſea coaſts [40]. 1706.

The Upper Rhine was the only quarter in which the French arms were ſucceſsful during the campaign 1706. After the duke of Marlborough's departure to the Netherlands, the marſhals Villars and Marcin advanced towards the German army at Druſenheim, under the command of the prince of Baden and the count de Friſe, who, afraid of being attacked by ſuperior force, fled with ſuch precipitation, that all their tents, and a great quantity of their baggage and military ſtores, fell into the hands of the French. The Germans flying over the Rhine by the bridge of Statmatt, which they broke down, Fort Louis was relieved from the blockade which it had ſo long ſuſtained. They did not even attempt to make a ſtand at Lauterburg, though, by the late fortifications, it was ſtronger than it had been in the preceding campaign, when it ſo bravely reſiſted the aſſaults of the enemy; and ſuch was the diſmay and conſternation of the garriſon, that it left the magazines there entire for the uſe of the conquerors. The French followed up their ſucceſs with the moſt expeditious movements, and expelled the Germans from Germerſheim, and from all the poſts which they had occupied from the river Mote to Spirebach. Villars cloſed his ſucceſs with the ſiege of Haguenau, which capitulated in ſix days after the trenches were opened: the garriſon being made priſoners of war, and a prodigious quantity of powder, corn, and clothing taken in the place [41]. Thus, within the ſpace of a few weeks, the allies loſt all the conqueſts which they had made on the French ſide of the Rhine during the campaigns 1704, and 1705, except Landau, from which their communication was entirely cut off. The misfortunes of the French arms, in every other quarter, obliged Villars to ſend large detachments from his army, which ſtopped his proſperous career, and confined his attention for

May.

11th May.

[40] Hiſtoire de Louis, tom. vi. p. 99.
[41] Villars, tom. ii. p. 324—7. Barré, tom. x. p. 393.

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ſome time, to fortifying the places he had already taken. The emperor having alſo recalled ſome of the beſt troops, in the army of prince Louis, to ſerve againſt the inſurgents in Hungary, Villars began again to act upon the offenſive, and drove the Imperialiſts out of the iſland and marquiſate of Baden, near Fort Louis; and, afterwards paſſing the Rhine, obliged them to remove from the poſts which they had erected for ſecuring the lines of Stolhoffen and Buhl [42].

After raiſing the ſiege of Barcelona, ſir John Leake reduced the city of Carthagena, and ſailed to Alicant, which ſurrendered [43]. The
10th Sept. iſlands of Ivica and Majorca alſo ſubmitted; the former without reſiſtance, from the attachment of the inhabitants to king Charles; and
18th. the latter, to prevent the dreadful effects of ſtorming the fort, which was threatened by the Engliſh admiral. Sir John Leake detached a
17th Oct. part of his fleet to winter at Liſbon, and returned with the reſt to England [44].

At the inſtigation of ſome of the French Hugonets, a deſcent was intended upon the coaſt of France by the grand fleet, under ſir Claudſley Shovel, and a body of troops commanded by the earl of Rivers; but was prevented by contrary winds, and the indolence and delay of the Dutch ſquadron which was to have joined the Engliſh. A part of the fleet, with all the land forces that had been deſtined for that expedition, were afterwards ſent to Liſbon; but arrived too late for rendering any eſſential ſervice to the confederate army, which, by the miſconduct of king Charles, was reduced to a ſtate of defenſive war [45].

The ill ſucceſs of the fleet in the Weſt Indies was a juſt ſubject of grief and complaint to every diſintereſted patriot. The iſlands of St. Chriſtopher and Nevis were plundered by a French ſquadron from

[42] Villars, tom. ii. p. 339—347. Monthly Mercury, July. Villars diſcovered great ingenuity and maſterly generalſhip, in conducting his operations, ſo as to deceive the prince of Baden, and to render his deſigns effectual at a ſmall expence of blood; but the plan of my work does not admit of a circumſtantial detail of them. Villars, tom. ii. p. 347, &c.

[43] Lives of the Admirals, vol. iii. p. 103, 104, 105.

[44] Id. p. 106, 7.

[45] Id. p. 109.

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St. Domingo; and the greateſt part of the Virginia traders were captured by privateers[46]. The miniſters endeavoured to refute the charges brought againſt themſelves, by imputing theſe misfortunes to accidents and diſeaſe, which made great havock in the Weſt India fleet, and to the miſconduct of commanders, which had given occaſion to change them more frequently there, than in any other ſtation. To the diſcerning inquirer, the plan of operations adopted by the Whig miniſters, will appear to have been one cauſe at leaſt of the miſcarriages and diſgraces which happened ſo often to the Engliſh fleets in the courſe of this war. The buſineſs of the navy was only a ſubordinate object of attention: the great ſtreſs of expence and preparation was laid upon the ſupport of the continental army; and the exertions of the fleets of England were chiefly directed to the benefit of her allies. Thus, the Mediterranean fleet, deſtined for the ſervice of king Charles, was better equipped and manned than the Weſt India ſquadrons, which otherwiſe might have contributed eſſentially, not only to the immediate protection of the colonies, but to the future ſecurity and extenſion of the Britiſh commerce[47].

The confederates now found that they had juſt grounds for remonſtrating againſt ſo great a proportion of the Imperial reſources being waſted by the wanton and culpable continuance of the war in Hungary. Their mediation between the emperor and his revolted ſubjects was employed in vain, while his mercenary favourites clandeſtinely obſtructed every approach to an accommodation, which would have put an end to the accumulated profits expected by them from the confiſcated property of the malecontents[48].

The increaſing reputation, and aſtoniſhing ſucceſs of the king of Sweden, began, at this time, to awaken the jealouſy of all the confe-

[46] Lives of the Admirals, vol. iii. p. 118.
[47] Id. p. 117. Oldmixon, vol. ii. p. 395.
[48] Tindal, vol. vii. p. 55. A ceſſation of hoſtilities had been agreed to on the 15th April, and the demands of the malecontents delivered to the mediators, as the baſis of peace. Some of them were extravagant; but, on the other hand, the anſwers of the court of Vienna were not in a conciliating ſpirit. Monthly Mercury, July.

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derates, and particularly of the emperor Joſeph [49]. In the courſe of this campaign, that enterpriſing monarch over-ran Saxony, laid the country under contribution, and reduced the elector to the neceſſity of begging a peace upon any terms the conqueror ſhould be pleaſed to dictate. The unfortunate elector not only acknowledged the right
24th Sept. of his rival, Staniſlaus, to the crown of Poland; but reſigned all pretenſions to the duchy of Lithuania. He was, however, ſo vain as to ſtipulate for retaining the empty title of a king, which could only ſerve to mortify him by the remembrance of the lofty projects from which he had fallen. The great augmentation of power which devolved upon a prince ſo full of enterpriſe, and who, by the late treaty with Auguſtus, had become an inmate of Germany, could not fail to give uneaſineſs to the court of Vienna; while the aſſiduous and fawning application of the French king for obtaining his alliance was ominous to the common intereſt of the confederates [50].

[49] State of the War. London 1705.
[50] Letter from Ratiſbon. Lamberti, tom. xiii. p. 482.

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Short Survey of the State of Scotland from the Union of the Crowns, to the Acceſſion of Queen Anne.—Of political Affairs and Parties at that Time.—Diſcontent occaſioned by the Continuation of the Convention Parliament.—Objections to its Authority.—Parties in it.—Embarraſſment of the Miniſters with reſpect to Scotland.—Arguments for diſſolving the Convention Parliament—For continuing it.—The Convention Parliament and the Whig Miniſters continued.—Seſſion of Parliament.—The Duke of Hamilton proteſts againſt it, and withdraws with his Adherents.—The Faculty of Advocates publiſh an Opinion in favour of the proteſting Members.—The Queen's Letter to the States.—Difficulties of Adminiſtration.—Acts paſſed.—A Motion for abjuring the Pretender, ill received.—The Parliament adjourned.—The Commiſſioners meet to treat about an Union.—Their Proceedings abortive.—Effects of the Proceedings of the Scottiſh Parliament.—The Court endeavours to conciliate the Cavaliers.—Changes in the Scottiſh Miniſtry.—A new Parliament.—The Duke of Queenſbury Commiſſioner.—The Queen's Letter.—Bill for recogniſing her Majeſty's Title, &c.—Carried by the Influence of the Preſbyterians and Cavaliers.—The Miniſters loſe the Confidence of the Revolutioniſts.—A Supply moved by the Earl of Home—Oppoſed by the Whigs.—Origin of the Squadrone Volante.—Overture by the Marquis of Tweedale.—Enthuſiaſm of the Scots for Independence.—The Marquis of Tweedale's Overture preferred to the Supplies.—Acts paſſed.—Act of Security deſired by every Party.—Keen Debates, and various Overtures relative to it.—The Subſidy refuſed.—The Seſſion adjourned.—Alarm occaſioned in England by the Proceedings of the Scottiſh Parliament.

THE hiſtory of Scotland, from the union of the two crowns, exhibits a gradual tendency to national depreſſion, which, at the acceſſion of queen Anne, had reached an extremity almoſt incapable of any aggravation or redreſs. Science and literature languiſhed; commerce, manufactures, and population declined; luxury, from the example of a more opulent neighbourhood, advanced with rapid

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ſteps among the higher ranks. The ſpecie of the country was drained; and poverty, like a gangrene, had overſpread the whole body of the people. Thoſe fond ſpeculations of commercial opulence, which had buoyed up the hopes of the Scots, after having been fairly tried, had not only proved abortive and ruinous, but afforded a mortifying evidence to the nation, of its utter incapacity, in its preſent ſtate of dependence, to proſecute effectual meaſures for the removal of impending grievances, or the improvement of its future condition. For, though the diſaſters of the Darien company might primarily ariſe from the ignorance and preſumption of its projectors; yet there could be no doubt of their having been both accelerated and heightened by the unkind interference and over-ruling influence of Engliſh counſels[1]. Was it not demonſtrable, from the whole ſeries of tranſactions relative to that buſineſs, that the national ſovereignty, of which the Scots ſo proudly vaunted, was nothing more than an empty phantom, ſince William had been conſtrained, by the importunity of the Engliſh parliament, to cancel thoſe very meaſures which had obtained his ſanction as king of Scotland? While the political union between the two nations was ſo looſe and defective, it was natural for the court of England to keep a jealous eye upon Scotland, and to ſuſpect, that, if ever ſhe acquired riches and power, they would be employed in ſchemes dangerous to the conſtitution of the more proſperous kingdom. The part which the Scots had acted, during the civil war in England, under the reign of Charles the Firſt, afforded an inſtructive proof of the effects to be dreaded from its interpoſition in times of public commotion; and the remembrance of this was the occaſion of cramping the trade and reſources of Scotland, as well as of foreign nations, by the navigation act, after the re-

[1] Sir John Clerk, ſpeaking of the Darien buſineſs, ſays, "I always thought it not ſo "much a fooliſh as a roguiſh project, &c. "But the conduct of England towards Scot- "land, at that time, ſerved ſufficiently as a "proof, that Scotland, in a ſeparate ſtate, "was not to enjoy the leaſt ſhadow of proſ- "perity, in any part of the world, which "interfered with the power, navigation, and "trade of England." MSS.

ſtoration

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ſtoration of Charles the Second[2]. By that act, the Scots found themſelves precluded from many benefits which they had formerly enjoyed in common with the ſubjects of the ſame ſovereign; and were cut off from the hope of maintaining, in future, an increaſing proportion to the fortune and proſperity of a people with whom they were ſo intimately connected by political intereſt and ſocial intercourſe.

Together with the decline of trade and manufactures, the reputation and honour of Scotland had faded, in conſequence of a real, though diſguiſed ſubordination to the neighbouring kingdom. Previous to the junction of the crowns, her alliance had been courted by the principal ſtates on the continent, and her intereſts regarded in the formation of every important treaty there. But now, while her dignity was eclipſed by the ſuperior luſtre of the monarchy to which ſhe had become an appendage, ſhe was not ſo much as named in the courſe of thoſe foreign tranſactions, which affected her intereſt in common with that of England. As if it had been on purpoſe to notify, to diſtant courts, the inſignificance into which ſhe had ſunk, no Scotſman was employed in any embaſſy, or permitted to be preſent when the foreign ambaſſadors were admitted to an audience in the court of London[3].

The

[2] Conſiderations on the Union, p. 84, 5. 1706. By the act of navigation, 12th Charles the Second, the freedom of trade, which the Scots had enjoyed under his father and grandfather, was retrenched. Heavy duties were impoſed upon goods, imported from Scotland to England; and upon Engliſh commodities, eſſential to the accommodation and improvement of Scotland. Repreſentation of the grievances of Scotland relative to Trade, preſented by the Scots Commiſſioners, 3d February 1668. Enquiry into the Reaſonableneſs of an Union with Scotland, p. 67. London, 1706.

After the union of the crowns, the Scots were permitted to ſettle in the plantations, and enjoy the privileges of Engliſh natives. From the time of the Darien adventure, they began to be rudely treated; many of them in public offices, juſtices of the peace, and members of the council, were turned out; and ſometimes they were rejected upon juries, &c. The goods and ſhips of Scotſmen were confiſcated in the plantations; and this was ſometimes done when the owners of them reſided in London. The Caſe of Scotſmen reſiding in England and in the Engliſh Plantations, p. 4, 5. Edinburgh 1703. Hiſtorical Account of the Grievances of Scotland, paſſim.

[3] Letter to a Friend on the Union. Edinburgh 1705. Letter to a Member of Parliament, concerning the true Intereſt of Scotland.

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The Scots, from the higheſt antiquity, had been ſignalized for martial genius and heroic gallantry. Multitudes of the lower rank, and the cadets of the moſt illuſtrious families, had been accuſtomed, for many centuries, to enliſt in the armies of foreign princes; and the fame which they acquired for valour in the field, not only gratified the pride of their relations, but redounded to the honour and advantage of their native country. Under the requiſition of a ſovereign, whoſe Engliſh dominions were the firſt object of his protection and care, his ſubjects, in Scotland, found themſelves reſtrained from entering into foreign ſervice, and deprived of the opportunity of earning that appropriate glory which exalted the character of the nation, and compenſated for the narrowneſs of its internal reſources. The meritorious ſervices of the Scots in the war with France, during the late reign, had excited a reaſonable expectation of their participating, with their fellow ſubjects in England, in the beneficial fruits of peace. But how grievouſly were they diſappointed, when they found, that the re-eſtabliſhment of national tranquillity only furniſhed the Engliſh legiſlature with leiſure and opportunity for thwarting thoſe ſchemes upon which the Scottiſh nation had erected its fondeſt hopes of independence and proſperity? While the Engliſh miniſtry was making large demands of recruits from Scotland for carrying on a new war on the continent, it rouſed the indignation of the people, to reflect, that, like the ſlaviſh troops of a military deſpot, they were compelled to ſpill their blood in a conteſt in which they had no genuine and permanent intereſt; and that all the laurels,

land. Id. "Since the time of James the "Sixth, till the union, few Scotſmen had "been ambaſſadors in foreign parts, for they "were not thought worthy of being entruſted "with the general affairs of Great Britain." Sir John Clerk's MSS. on Lockhart, p. 153. "The honour and eſteem which Scotland "had acquired in all parts of Europe, were "ſunk; and her name was forgotten among "thoſe very nations ſhe had preſerved from "ruin." Sir John Clerk's Journals. It appears, however, that individuals from Scotland, profited by the more intimate connexion between the two kingdoms, after the union of the crowns. Dr. Burnet was made a biſhop, Wiſhart an admiral; and many Scotſmen were employed in England, as ſurgeons, ſchoolmaſters, book-keepers, &c.

gathered

gathered by their own heroes, were employed in adorning the brows of their rivals and oppreſſors [4].

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Under the influence of theſe impreſſions, a ſpirit of diſcontent had been ſpreading among all ranks from the acceſſion of William; and, in the laſt years of his reign, had ariſen to ſuch a pitch, that the utmoſt vigilance of government was neceſſary to reſtrain it from open and tumultuary violence [5]. In this critical ſituation of the country, the king durſt not hazard any change in the legiſlative body. As the majority of the convention parliament were firm friends to the revolution, and the preſbyterian form of religion, and as a conſiderable proportion of the nation were enemies to both, the former were perſuaded, that it was only by ſupporting his meaſures, that theſe objects, which were ſo dear to them, could be ſecured; and that a new election could not take place without diminiſhing their own influence. From this concurrence in political views, the convention parliament was involved in the ſame cenſure and odium with the court. It had indeed complied with the voice of the nation, by petitioning for the redreſs of thoſe grievances which were imputed to the malevolent interpoſition of the Engliſh parliament in the affair of Darien; but this was aſcribed, by the people, to fear, more than patriotiſm; and the majority of that aſſembly were ſtill conſidered as the tools of the prince, and as unfriendly to every ſcheme for promoting the independence of their native country. Hence ſeveral of the corporations and counties had petitioned the king to diſſolve the convention parliament, and, when their deſire was not gratified, objections were

1698.

[4] Sir John Clerk's MSS. Reaſons why the Succeſſion ought not to be declared. London, 1704.

[5] Accidental calamities had co-operated, with thoſe which have been mentioned, to aggravate the diſcontent of the Scots. A run of bad crops in the years 1695, 6, 7, 8, 9, had occaſioned a famine, and many thouſands had periſhed for want of food, or emigrated from their native country. A dreadful fire, in the year 1699, had conſumed ſome of the moſt valuable buildings in the metropolis. The property deſtroyed amounted to above two hundred thouſand pounds. The failure of the bank, in the midſt of the greateſt ſcarcity of coin, ſpread univerſal embarraſſment, and interrupted the few advantages, which the country derived from its limited trade and manufactures.

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propagated through the country, tending to diſparage its authority, and to excite a diſtruſt of the lawfulneſs of its proceedings [6]. It had been ſummoned by the prince of Orange, before he was himſelf inveſted with regal power; and, though the public commotions might juſtify an omiſſion of the cuſtomary forms at its convocation, and give a ſanction to its authority as far as might be neceſſary to reeſtabliſh the conſtitution, by ſupplying that branch of it which had expired, or abdicated; yet it was contended, that its legal functions had been exhauſted by that meaſure; and that a new parliament ought to have been called, with all the wonted forms, after the reſtoration of the executive branch, in order to render the legiſlature complete, and adequate to the future purpoſes of government.

The prolongation of its exiſtence, beyond the period barely neceſſary for the renewal of the conſtitution, might however have been tolerated, and all its ſubſequent meaſures acquieſced in, for the ſake of expediency; but it was aſſerted, that it had now been extended to ſuch an immoderate duration, as was inconſiſtent with that very conſtitution which it had been deſtined to ſave; and hence it became chargeable with uſurpation, or the exerciſe of illicit authority, though it had been liable to no objection whatever at its firſt formation [7].

The diſtreſs of government had, in the later years of William, been increaſed by that diſaffection which began to break out even in the parliament itſelf. The calamities of Scotland came home to many of its members, and weaned their affection from the court. The unfortunate project of Darien embraced ſuch a wide circle of intereſt, and abounded with ſuch diffuſive miſchiefs, that there were few families in the nation that did not feel the ſhock in ſome of their branches. The reſolutions and addreſſes of the Engliſh parliament, on that ſubject, exhibited a ſeverity and harſhneſs which no true

[6] It was aſſerted that king William had violated the claim of right, the condition on which he reigned in Scotland, by his continuing the convention parliament, after the plurality of the corporations had petitioned him to diſſolve it. Advantages of the Union, p. 21. Edinburgh, 1706.

[7] Pamphlets of the Times. Macpherſon's Hiſtory, vol. ii. p. 239.

friend

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friend of his country could contemplate with cool indifference. The court patronage in Scotland was extremely circumſcribed; and inſufficient to ſatisfy the numerous claims preferred by thoſe who ſerved the government with increaſed diſadvantage, and at a greater riſk of reputation, as the meaſures, which it purſued, became unpopular and exceptionable[8].

Owing to theſe ſeveral cauſes, the country party, or that which oppoſed the court, was advancing every day both in number and reſpectability. It now conſiſted of ſeveral of the nobility, and a conſiderable number of the repreſentative body; and, from a partial and occaſional oppoſition, had contracted the habit, and profeſſed the reſolution of an obſtinate and invariable reſiſtance to the court, ſo long as the convention parliament ſubſiſted. The grievances of Scotland were the conſtant theme of their declamation; and, in proportion as theſe were actually felt, or apprehended by the people, their friends and abettors multiplied, and their hands were daily ſtrengthened by the election of members devoted to the ſame intereſt; ſo that if king William had long ſurvived, he would have found himſelf under the neceſſity of diſſolving the convention parliament. If ſuch a criſis had occurred previous to the war, it would certainly have been productive of great commotions in Scotland; nor is it likely that the parliament of England, at that time, would have adopted ſuch a generous plan of accommodation as they afterwards carried into execu-

[8] The ſalaries of all the public offices in Scotland at the diſpoſal of the court, before the union, did not amount to £. 20,000 per annum. Advantages of the Union, p. 19.

The ſalaries of the principal offices were as follows: To the chancellor £. 2000 per annum; to the privy ſeal £. 1000; preſident of the council £. 1000; ſecretary of ſtate £. 1000; preſident of the court of ſeſſion £. 1000; juſtice general £. 800; treaſurer deputy £. 600; juſtice clerk £. 600; lord regiſter £. 500; fourteen lords of ſeſſion £. 500 each; queen's advocate £. 500; queen's ſolicitor £. 300; two clerks of council £. 500; grants, penſions, and extraordinary expences £. 13,000 per annum. Enquiry into the Reaſonableneſs of the Union, p. 106. This eſtimate refers to the ſtate of ſalaries, &c. at the time of the union.

According to another author, who ſtates the expence of the civil government, as it ſtood in the year 1681; the whole pay of the civil liſt, including the greater and leſſer officers of ſtate, and the law, amounted to £. 15,148 per annum. The penſions to £. 11,354: 18: 10. The Rights of Succeſſion, p. 10. Lond. 1705.

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tion, upon thoſe emergencies, of which I am now to give an account.

The diſcontented and turbulent ſtate of Scotland, at the death of king William, involved the queen's miniſtry in ſingular difficulties with reſpect to the plan of conducting the government there. On the one ſide, the nation longed for a new repreſentation; and it was even doubtful if the ſovereign could lawfully aſſemble the preſent parliament, though reaſons of policy might render the doing of it expedient and deſirable [9]. Moſt of the perſons in power were preſbyterians, and by no means, on that account, the more acceptable to the queen and the Engliſh cabinet, as new-modelled at her acceſſion. For theſe reaſons, the diſſolution of the parliament, and the diſmiſſion of the perſons, who then held the reins of government, might naturally have been expected, and was anticipated with general ſatisfaction by the nation, upon hearing of the death of the king, and of the changes which had taken place in the Engliſh miniſtry. But, on the other ſide, the unquiet diſpoſition of the people, the violence of individuals, and the notorious, and undiſguiſed attachment of many perſons of high rank to the court of St. Germains, rendered any ſudden change of the political meaſures and executive government extremely hazardous. Among the various competitors for power, it was not eaſy for the ſovereign to make any ſelection or arrangement, without giving diſguſt to ſome, and exciting the hoſtility of parties, who, while amuſed by the proſpect of attaining a ſuperiority over their rivals, were likely to purſue that line of conduct which they believed to be moſt acceptable to the court. The Tories of England were anxious to preclude every ſuſpicion of their

[9] The queen conſulted the Scottiſh privy council, with reſpect to the lawfulneſs of calling the convention parliament after the lapſe of twenty days; but ſuggeſted to them, at the ſame time, that the act 1696 had provided, that nothing contained in it ſhould be underſtood to alter or reſtrain the prerogative. Her Majeſty's Letter to the Privy Council, Whitehall, March 8th, 1702. Minutes of the Privy Council, MSS.

This was a ſufficient hint for bending the determination of the privy council to the wiſhes of the court; and the vote being put, if it be not conſiſtent with the act 1696, for the parliament to meet after the lapſe of twenty days, it was carried in the affirmative. Idem.

being

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being unfriendly to the Hanoverian ſucceſſion, which they hardly could have done, had they precipitately committed any ſhare of the government in Scotland to thoſe men who made no ſecret of their affection to king James; and who had the imprudence to expreſs their hopes of being better thought of by the queen on that account [10]. The perſons, who now filled the official departments in Scotland, poſſeſſed qualifications which ſtrongly recommended them to the favour of every ſucceſſive adminiſtration in England, to whatever party it belonged. Some of them had given early proofs of political talents, which had been improved by long experience, and an intimate acquaintance with the forms and practice of buſineſs. They had diſcovered great obſequiouſneſs to the court in the preceding reign, and might be expected to be the more hearty in promoting its meaſures under the preſent one, from their being continued in power, contrary to the general expectation; and becauſe retaining their influence would depend entirely upon the merit of future ſervices. They were all of that party which had diſcovered the greateſt antipathy to France, and would therefore do their utmoſt to forward the ſupplies for carrying on a war ſo grateful to their own inclinations. Yielding to the force of theſe conſiderations, the Engliſh cabinet determined to employ the ſame miniſters who had been entruſted with the management of Scottiſh affairs by king William; and to uphold the authority of the convention parliament [11].

The national ſpirit of diſcontent, and a marked diſapprobation of the conduct of the court, were diſplayed upon the firſt opening of the Scottiſh parliament, after the acceſſion of the queen, on the 9th June 1702. As ſoon as prayers were ſaid, the duke of Hamilton inſiſted on being heard; and though entreated by the duke of Queenſberry to wait till her majeſty's commiſſion was received, he

[10] Advantages of the Union, p. 25. Annals of Anne, 1703, p. 16.

[11] The earl of Marchmont was lord chancellor; lord Montgomery, lord treaſurer; the earl of Melville preſident of the ſecret council; the marquis of Annandale privy ſeal; the earls of Seafield and Hindford, ſecretaries of ſtate; the earl of Selkirk lord regiſter; and the inferior offices of ſtate were held by ſtaunch revolutioniſts.

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perſevered in reading a paper, which contained reaſons againſt the meeting of this parliament, and thereupon took inſtruments; after which, he withdrew with twenty-nine of the members who adhered to his proteſtation[12]. This patriotic band, as it was called, was followed with ſhouts of applauſe to a neighbouring tavern, where the night was ſpent in mirth and feſtivity[13]. The faculty of Advocates voluntarily

[12] Records of the Scotch Parliament, MSS. Regiſter Office, Edinburgh.

[13] Lockhart's Memoirs, p. 14—17. London, 1714. As I ſhall often have occaſion to refer to Lockhart's Memoirs in the ſequel of the Scottiſh hiſtory, it may be proper to inform the reader of the character of this author, and the ſecurity with which I rely upon his teſtimony. The book was never acknowledged by Mr. Lockhart, and there is a traditional report of its having been ſurreptitiouſly publiſhed with the intention of hurting his reputation with the court. The ſuppoſition of Mr. Lockhart's being the author is corroborated by ſtrong internal arguments. Mr. Lockhart was a warm friend to the houſe of Stuart, a zealous oppoſer of the union, and enraged againſt all his countrymen, who did not eſpouſe his own political ſentiments. The Memoirs, as might be expected from an author of this character, abound with encomiums on his own partiſans; and hardly allow any credit for probity and patriotiſm, to the leaders of the Whigs, and the preſbyterians. Mr. Lockhart had excellent acceſs to information, having been himſelf a member of the Scottiſh parliament, and admitted into all the conſultations of the Cavaliers. He was named by the queen to be one of the commiſſioners for the treaty of union, upon the recommendation of the earl of Wharton, who was his uncle. His acceptance of this truſt does him little honour, as he was an enemy to the ſcheme of uniting Scotland to England upon any terms whatever; and profeſſes to have accepted of his commiſſion, with the intention of doing all in his power to fruſtrate the object of it; and of acting as a ſpy upon his colleagues. Memoirs, p. 87.

With due abatement for the author's political prejudices, the Memoirs may be admitted as an authoritative voucher for many important facts, at the period to which they relate. I am fortunate however in an opportunity of deriving advantages from theſe Memoirs, never enjoyed by any former hiſtorian; and no wiſe affected by the iſſue of the queſtion reſpecting the author.

Among ſir John Clerk's MSS., I found a copy of Lockhart's Memoirs, with notes in ſir John's own hand, on the margin; upon the back of the title-page, the following words are written in the ſame hand. "As "theſe Memoirs are ſaid to have been written "by Mr. Lockhart in the heat of party "rage, it is no extraordinary matter to find "them erroneous in ſeveral particulars, which "the following notes will demonſtrate; yet "many of the characters are juſt, in ſo far "as the author was acquainted with the perſons. Theſe notes were reviſed by me in "the year 1738, and again in 1747. I have "carefully conſidered them, and do not only "adhere to them, but poſitively aſſert, that "every particular fact mentioned by me is "exactly agreeable to truth; and that to "my knowledge, I have concealed nothing. J. C." In a note on the margin of the ſecond page of the preface, ſir John ſays, "Theſe Memoirs were given out to be "copied, and ſo came abroad; however the "perſons abuſed took little notice of them, "and the ſuppoſed author abjured them, on "many occaſions, ſo that I and others have "liberty to animadvert on them, if we "pleaſe."

Thus qualified, the Memoirs become reſpectable documents of hiſtorical facts. By the

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voluntarily publiſhed an opinion in ſupport of the doctrine maintained by the diſſenting members [14]. Such a reſpectable ſanction, added to the popularity of the meaſure, was productive of effects which were vexatious to the miniſters, and threatened to fruſtrate the principal object they expected to obtain, by holding a ſeſſion of parliament. Not only perſons who were tainted with diſaffection, but thoſe who were of a timid or penurious diſpoſition, were now furniſhed with a ſtrong argument for withholding the taxes, impoſed by a legiſlative body, the authority of which was doubtful, and even condemned by competent judges. The ſupport of the government, and the moſt preſſing exigencies, which could only be removed by the efficiency of the ſupplies, voted by the ſitting members of the ſtates, conſtrained the officers of the crown to enforce the payment of them by coercive meaſures, tending to increaſe that ferment which already pervaded the great body of the people [15].

After the departure of the proteſting members, her majeſty's commiſſion to the duke of Queenſberry, and her letter to the ſtates, were read. Her majeſty promiſed to maintain the proteſtant religion, the preſbyterian form of government, and the eſtabliſhed laws of Scotland. She expreſſed her hope of their hearty ſupport and aid in the war, begun by her predeceſſor, on account of the wrongs committed by the French king, of which her ſubjects in Scotland had teſtified a becoming reſentment in their addreſſes. She urged the neceſſity of ſupplies for preventing the deſigns of her enemies. She informed them, that, in conſequence of the late king's earneſt wiſhes for an

the peruſal of this valuable MSS., I have not only been enabled to correct many errors and miſreprenſations, contained in the text of the Memoirs, but have alſo derived important information with reſpect to collateral events and tranſactions, which enter into the Scottiſh hiſtory at the period of this work.

[14] The dean of faculty and advocates, who gave their opinion in favour of the diſſenting members, were cited to appear before the parliament; and, after various delays, the proceſs was transferred to the privy council, to be farther proceeded in there, as the parliament ſhould ſee cauſe. Records of the Scotch Parliament, 30th June 1702.

Seventy advocates declared, that they gave no warrant to the dean of faculty for publiſhing any opinion on the ſubject; and twenty of them refuſed to anſwer any queſtions put to them by the parliament. Id. 16th June.

[15] Tindal, vol. v. p. 93.

union

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union of the two kingdoms, ſteps had been taken by the Engliſh parliament to pave the way for that deſirable event; and that ſhe was empowered to appoint commiſſioners for beginning the treaty; in accompliſhing which ſhe expected their concurrence. She recommended a particular attention to the ſtate of the poor, whoſe hardſhips had been aggravated by ſucceſſive ſeaſons of ſcarcity [16].

The buſineſs, ſuggeſted by the queen's letter, was more fully explained and enforced by the commiſſioner, and the chancellor [17]. It is worthy of remark, that in theſe addreſſes to the ſtates, as well as in the royal letter, a high veneration was profeſſed for the memory of king William, whoſe name was introduced as giving the moſt weighty ſanction to the ſcheme of buſineſs ſubmitted to their deliberation. This circumſtance fully diſcloſes the ſentiments and views of the court at this period with reſpect to the ſtate of parties in Scotland. The late king had found, from experience, that the firſt friends of the revolution were the only perſons on whoſe fidelity he could depend. Her majeſty, under this impreſſion, had been perſuaded to retain the convention parliament as the fitteſt inſtrument for ſupporting her authority in Scotland; and her ſpeech was therefore adapted to their political notions, though widely different from thoſe of the party which ſhe now favoured in England. In adherence to the ſame plan, ſhe afterwards refuſed to receive an addreſs from the diſſenting members, in vindication of their conduct, and

17th June. pledged herſelf to maintain the authority of the preſent parliament againſt all its oppoſers [18].

This unexpected rupture in the parliament, and the general diſcontent and turbulence of the people, were not the only difficulties which the miniſters had now to encounter in conducting the buſineſs of Scotland. Subſequent meaſures, purſued by thoſe members who

[16] Records of the Scotch Parliament.

[17] After reading the royal letter to the ſtates, the commiſſioner, and the chancellor, uſed to make harangues on the topics contained in it, and to enforce a reſpect to them, by fulſome encomiums on the goodneſs of the ſovereign.

[18] Annals Anne, 1702, p. 65, 6.

had

had ſupported the views of the court in the diſcuſſion of the preliminary queſtion, relative to the authority of parliament, exhibited a diſtraction of ſentiment, and an independence of ſpirit, which rendered it impoſſible for the miniſters to rely upon the ſteadineſs of any party, or the ſucceſsful proſecution of any plan whatever, for reſtoring vigour to the government in Scotland. A ſupply was voted of ten months and a half ceſs upon land [19]. The ſtates were unanimous in paſſing acts for recogniſing her majeſty's title; eſtabliſhing the authority of the preſent parliament, and inflicting the penalty of high treaſon upon thoſe who ſhould in future diſown it; for ſecuring the proteſtant religion and the preſbyterian government [20], and enabling her majeſty to appoint commiſſioners to treat about an union between the two kingdoms. But when the draught of a bill for abjuring the pretender was preſented by the earl of Marchmont, it occaſioned open and violent expreſſions of averſion. Some of the members, who had been ſtrenuous advocates for the authority of the parliament, were the moſt diſſatisfied with this motion, and determined to invite the diſſenting members to reſume their ſeats, in order to fortify their reſiſtance againſt every meaſure tending to fix the ſucceſſion of the crown [21]. Its unſettled ſtate be-

19th June.

23d, &c.

[19] The ceſs, or aſſeſſment, was raiſed upon the eſtates, and royal boroughs in Scotland, in proportion to their valued rents. This mode of taxation was introduced by Oliver Cromwell, after he had ſettled the union between the two kingdoms. The ceſs amouuted to ſix thouſand pounds per month; and, according to the exigencies of government, it was increaſed, not by raiſing the monthly ſum, but by adding to the number of months, which anſwered the ſame purpoſe. Eſſay for removing Prejudices againſt the Union, Part ii. p. 18. 1706.

[20] This ſeſſion diſcovered a ſtrong zeal for preſbytery, which was believed to be in danger from the prejudices of the ſovereign, and her preſent miniſters. Sir Alexander Bruce, heir apparent to the earl of Kincardine, was expelled the parliament for ſpeaking diſreſpectfully of preſbytery. Records of the Scotch Parliament, 11th June. Minutes of the Privy Council, 28th July 1702. The popular odium ran ſo violently againſt him, that he was compelled to leave his native country, and received a penſion from the queen, which contributed to the ſuſpicion of her enmity to preſbytery. Anonymous MSS on the Characters of diſtinguiſhed Perſons of both Kingdoms at the Beginning of the Reign of Queen Anne.

[21] Lockhart, p. 16, 17. Sir J. Clerk's MSS. For a full account of this affair, ſee a letter of Philiphaugh to Mr. Carſtares, 4th July 1702. Carſtares' State Papers, p. 714. "The preſbyterians in parliament, and the "very miniſters of this place, were divided "upon that queſtion." Id. 716. See alſo a letter of lord Leven to Mr. Carſtares. "I am "told the preſbyterian party in Scotland are "altogether againſt the ſucceſſion." Id. 717.

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gan now to be conſidered, by the generality of the people, as preſenting the moſt favourable opportunity to obtain the redreſs of their grievances.

Nor did the court, at this time, diſcover any anxiety about extending the act of ſettlement to Scotland; for reaſons of ſtate, it probably rather wiſhed that the ſucceſſion there ſhould remain ambiguous and undetermined [22]. As the introduction of buſineſs of ſuch magnitude, without the approbation of the queen, was a demonſtration how little ſhe could rely upon the party ſhe patroniſed; ſo the arguments and motives, urged for rejecting it, indicated a general propenſity to perplex the public buſineſs, and to encourage that ſpirit of alienation from England, which was already too prevalent. The June 30th. commiſſioner put an end to this ſeſſion, in order to prevent the diſcuſſion of a queſtion, which was likely to be productive of great heats and diviſions, and ſtill farther to diſparage the authority of parliament; expreſſing his ſurpriſe and regret, at the introduction of a ſubject of ſuch a delicate nature, without the participation of her majeſty's miniſters.

During the receſs of the Scottiſh parliament, the commiſſioners, appointed by her majeſty for treating about the union of the two kingdoms, met at the Cock-pit on the 22d October; but on account of the abſence of the majority of the Scottiſh commiſſioners, whoſe backwardneſs was conſidered as an untoward omen by thoſe who wiſhed well to the project, all proceedings were ſtopt for the ſpace of a month [23]. After the preliminary articles were adjuſted, the buſineſs was often interrupted by the want of a quorum of the Engliſh commiſſioners, from which it ſhould ſeem, that they did not enter heartily into it; or perhaps they had little hope of bringing it to a ſucceſsful concluſion. The jealouſy of the preſbyterians was, at the commencement of this tranſaction, excited in a more than ordinary degree, by the ſuſpected partiality of the queen for the epiſco-

[22] Lockhart, p. 17. Sir J. Clerk's MSS.
[23] Appendix to Defoe's Hiſtory of the Union, N° XIV.

palians;

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palians; and as the latter hoped, ſo the former dreaded, that a more intimate connexion with their Engliſh neighbours would prove fatal to the preſent eſtabliſhment[24]. In this temper of the people of Scotland, for the generality were preſbyterians, all attempts to reconcile them to an union with England muſt have proved fruitleſs, without previous ſtipulations for the ſecurity of their religion. Nor, ſuppoſing this difficulty had been ſurmounted, would the expectations of the Scots, with reſpect to trade, have been eaſily ſatisfied. Their commiſſioners plainly hinted, that they would not be pleaſed with a free communication of the trade of England, without having the rights of the Darien company recogniſed and eſtabliſhed. When this condition was openly inſiſted upon, every hope of amicable proceeding vaniſhed; and her majeſty adjourned the meeting of the commiſſioners on the 3d of February to the 4th of October 1703[25].

Although the proceedings of the commiſſioners did not advance to maturity, yet they certainly contributed to the happy iſſue of this buſineſs when it was afterwards reſumed. The great outlines of the treaty were now drawn, and the general principles of it eſtabliſhed; and, as the ſame perſons were afterwards appointed commiſſioners for that purpoſe, they had, during the interval between theſe two tranſactions, directed their thoughts and inquiries to the moſt proper expedients for removing the difficulties and miſunderſtandings which impeded their progreſs at this time.

From various circumſtances, which occurred in the courſe of a few months, a great change took place in the ſtate of parties in Scotland; and induced the Engliſh cabinet to adopt new meaſures in the management of affairs there. The moſt zealous friends of the revolution were offended by the open indifference, and the ſuſ-

[24] Hiſtory of Scotland by David Scot, p. 716. Weſtminſter, 1727.

[25] Appendix to Defoe, N° XIV. Salmon, vol. xxv. p. 96. When the act concerning the union was read in the Scottiſh parliament, 25th June 1702, two members entered their diſſent, becauſe it did not expreſsly hinder the commiſſioners from treating about the re-eſtabliſhment of prelacy. Record of the Scotch parliament, 25th June 1702.

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pected averſion of the court, to the proteſtant ſucceſſion[26]; and trembled for the ſafety of the preſbyterian government, both on account of the known attachment of the queen to epiſcopacy, and the violent ſpirit diſplayed by the majority of the houſe of commons in England againſt the proteſtant diſſenters. The Scottiſh Whigs, diſtruſting the court, began to aſſociate and conſult with the country party, which profeſſed to devote itſelf entirely to the removal of grievances and the eſtabliſhment of the future independence of the kingdom. After ſuch a coalition of parties, the miniſtry were convinced, that no advantage could accrue to them from the preſent parliament; the objections to which grew ſtronger from its prolongation, and furniſhed a ſtanding topic for arraigning the conduct of government. Although it was expected, that in a new parliament many members would be adverſe to the meaſures of the court; yet there could not exiſt, in the repreſentative body recently elected, that concert of plan, which was eaſily formed by thoſe who had been long known to each other from their official intercourſe, or that perſonal acrimony againſt miniſters, which actuated individuals, diſappointed, either in views of ambition, or ſchemes of patriotiſm. The cavaliers, valuing themſelves upon an affectionate attachment to a princeſs of the houſe of Stuart, and a favourer of their own religion, were expected to make every exertion for recovering a ſhare in the repreſentation, when they were freed from thoſe diſcouragements, which, during the preceding reign, had either prevented their entering into the field of competition, or obſtructed their ſucceſs with the electors. Attending to all theſe conſiderations, it was now deemed a matter of expediency, to ſooth that party which had been ſo long depreſſed, with a view of rendering it

[26] The ſucceſſion of the prince of Wales was now mentioned as a deſirable event, not only by the Jacobites and epiſcopalians, but by many who had formerly expreſſed a jealouſy for the proteſtant intereſt. The latter qualified their wiſhes for his ſucceſs, by expreſſing their hopes of his converſion. The ſtory of his being ſuppoſititious was very generally treated with contempt. Clerk's MSS.

friendly

friendly to the court. Strong aſſurances were conveyed to the cavaliers of her majeſty's favourable opinion of them, and of her deſire to confide in their fidelity, and artful inſinuations were employed to make them believe, that ſhe cheriſhed kind purpoſes in behalf of her brother [27]. Several of the Whigs were immediately diſplaced, and cavaliers brought in, and a proclamation was iſſued, promiſing an indemnity to all who had committed treaſon, previous to the month of April 1702 [28]. One of the moſt honourable expedients, for procuring the ſervices of the Jacobites, was a promiſe of toleration to the epiſcopalians, which, as it was founded on juſtice, was alſo agreeable to her majeſty's private wiſhes [29]. By theſe meaſures her majeſty ſtrengthened the hands of the anti-revolutioniſts, and acquired a powerful claim to the gratitude and ſervices of their relations whom ſhe reſtored from exile, and relieved from the terror of future proſecution.

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March 1703.

The new parliament met at Edinburgh on the 6th May 1703. The duke of Queenſberry, at this time, leſs obnoxious to the cavaliers than any of the old miniſters, was again appointed commiſſioner. Her majeſty's letter to the States contained a repetition of

1703.

[27] "The earl of Seafield aſſured all whom "he knew to be of loyal principles, that the "queen was reſolved to truſt the government "to their management, and to take care of the "diſtreſſed royal family." Lockhart, p. 25. This aſſertion is confirmed by Cunningham, who ſays, "that the queen was ſuſpected of a "ſecret deſign in favour of the pretender; that "ſhe had grown ſenſible of the crime com-"mitted againſt her father; and was reſolved "to make amends to her brother." Cunningham, vol. i. p. 326. "The Tories (the Scot-"tiſh) were far from thinking her majeſty "rightful ſovereign; but they had it always "in their heads, that ſhe would contrive ſome "way or other to have her brother ſucceed "her." Sir J. Clerk's MSS on Lockhart, p. 12.

[28] The earl of Marchmont, Melvil, Selkirk, Adam Cockburn of Ormiſton, ſir John Maxwell, the earl of Leven, and Hindford, were all diſplaced. The duke of Queenſberry and Viſcount Tarbot were made ſecretaries of ſtate; the earl of Seafield, chancellor; the marquis of Annandale, preſident of the council; the earl of Tullibardine, lord privy ſeal; lord Boyle, deputy treaſurer; Mr. Mackenzie of Preſton-hall, juſtice clerk; ſir James Murray of Philiphaugh, lord regiſter; and the earl of March, governor of Edinburgh caſtle. Lockhart, p. 20, 21.

[29] Management of the late Scotch Miniſtry, p. 5. Lond. 1708. Minutes of Privy Council, 4th February 1703. The queen wrote a letter to the privy council, deſiring that all the proteſtant diſſenters, who behaved ſuitably to the reformed religion, might be protected; and ſhe recommended to the eſtabliſhed clergy to live in brotherly love and communion with them. Tindal, vol. v. p. 243.

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her former promiſes, to do every thing in her power for the ſatisfaction and ſecurity of her antient kingdom. She recommended, to their particular attention, the ſtate of the forces, garriſons, and forts; the granting neceſſary ſupplies, and making proper laws for the encouragement of trade. She declared, that it ſhould ever be her endeavour, to ſecure the peace and proſperity of Scotland, and expected their hearty concurrence for the ſame good ends. She recommended, as formerly, to provide for the poor[30].

It did not eſcape the public notice, that, in the royal letter, though underſtood to contain an authoritative recommendation of thoſe ſubjects which were to occupy the deliberation of parliament, no mention had been made of the ſucceſſion, a point, of all others, the moſt intereſting to national tranquillity; and while this circumſtance alarmed the zealous revolutioniſts, it encouraged the hopes of thoſe who had never withdrawn their affections from the court of St. Germain's.

The buſineſs of the ſeſſion began with an act for recogniſing her majeſty's title to the crown, and making it high treaſon to diſown it, or to challenge her exerciſe of the government. The firſt clauſe,

6th May. moved by the duke of Hamilton, was unanimouſly adopted; but

15th. the ſecond, relative to the exerciſe of government, introduced by the lord advocate, became the ſubject of a long and keen debate. The object of it was to preclude any future inquiry into the authority of the laſt parliament. It was argued, by the oppoſers of this clauſe, that it was highly diſhonourable to her majeſty, by inſinuating, or ſuppoſing, that the exerciſe of the government had been abuſed by her, and needed an indemnity; that whatever charges might be brought againſt her miniſters, it was a high indignity to

[30] Records of the Parliament of Scotland. In conſequence of this recommendation from the queen, an overture for the better employing the poor, framed by Dr. Hugh Chamberland, was taken under conſideration, 14th June. Records of the Scotch Parliament. I do not find any reſolution taken upon it. The number of the poor in Scotland, at the beginning of the reign of queen Anne, was ſuppoſed to be two hundred thouſand. Money and Trade conſidered, p. 116. Edinburgh, 1705.

involve

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involve the royal perſonage in the participation of their guilt. Conſcious to themſelves of having adviſed her majeſty to overſtrain prerogative by upholding an authority, which had grown ſuper-annuated and illegal, they had now foiſted her name into the bill, that, under the reverence due to it, they might eſcape that cenſure, which their mal-adminiſtration juſtly merited[31].

The miniſters, deſirous to conciliate the country party, avoided entering, into any diſcuſſion of the queſtion touching the authority of the laſt parliament; and reſted the defence of the diſputed clauſe, upon the general principles of fitneſs and expediency. The right of ſucceſſion, veſted in the perſon of the queen by the entail of the crown, was complete and perfect, during the life of the late king; but, as her right to the exerciſe of government did not accrue to her majeſty till after his death, it was proper to recogniſe and ſecure it by a ſanction of treaſon[32].

From the unexpected coalition of the cavaliers and the preſbyterians, the additional clauſe was carried by a conſiderable majority. The former were now devoted to the court, and the latter, though eſtranged from it, were afraid to relax, or expoſe, to future cenſure, that ſecurity which had been obtained for their religion by the acts paſſed in the laſt ſeſſion of the convention parliament. Notwithſtanding this confirmation of its authority, a ſecret diſtruſt concerning the lawfulneſs of all its proceedings was ſtill entertained by every party; for the moſt important laws, which had been paſſed in the laſt ſeſſion of that parliament, were now re-enacted with little variation in their ſubſtance or titles[33]. This appeared, perhaps, the more neceſſary,

[31] Records of the Parliament of Scotland.

[32] Proceedings of the Parliament of Scotland, p. 7. It was made high treaſon to impugn her majeſty's title to the crown of Scotland, or her exerciſe of the government there, from the time of her entering upon it. Appendix to the Proceedings of the Parliament of Scotland, N° I.

[33] Compare the act recogniſing her majeſty's royal authority, June 12th, 1702, with the act aſſerting and recogniſing her majeſty's authority, May 19th, 1703; the act for ſecuring the true proteſtant religion and preſbyterian government, June 12th 1702, with that for ſecuring the true proteſtant religion and preſbyterian government, September

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neceſſary, becauſe when the commiſſioner was about to give the royal aſſent to the act of recognition, the duke of Hamilton declared, that he ſtill underſtood the additional clauſe, as affecting only the queen's exerciſe of the government, and not that of her miniſters; and therefore that it did not foreclose any future inquiry into their miſconduct[34].

Many days of this ſeſſion had not elapſed, before the commiſſioner had the mortification to diſcover the error of that temporizing policy which had lately been adopted by the court, and the dangerous effects of truſting ſo much to the intereſt and fidelity of the cavaliers. Could they have been perſuaded to acquieſce in a diſcreet and reſerved ſupport of miniſterial meaſures, and to diſguiſe the confidence they had gained with the court, public affairs might perhaps have been ſmoothly carried on, and the moſt important views of the miniſters promoted. But they were impatient to make an oſtentation of their power, by taking the firſt ſteps in a buſineſs, which, as it was of the moſt intereſting nature, had been always aſſigned to the approved friends of the court. The motion for a

19th. ſupply was made by the earl of Home, who had been a zealous remonſtrant againſt the revolution, had declined taking the oaths in the late reign, and was ſtill ſuſpected of correſponding with the court of St. Germain's[35]. The imprudence of conferring ſuch a diſtinguiſhed mark of the royal confidence upon a perſon ſuſpected of diſloyalty had been in vain repreſented to the commiſſioner by ſome of the Whigs, and now afforded them an opportunity of venting party reſentment under the ſpecious garb of a conſtitutional oppoſition, and patriotic zeal[36]. The commiſſioner, by making apologies for conceſſions which the emergency of affairs had ex-

ber 19th, 1703; the act declaring the preſent meeting of parliament to be lawful and free, June 12th, 1702, with the act which ratifies the turning the meeting of the ſtates in the year 1689, into a parliament, September 16th, 1703. Scotch Acts, vol. iii. p. 603, &c.

[34] Records of the Parliament of Scotland.

[35] Collection of Original Papers concerning the Scotch Plot. Lond. 1704.

[36] Lockhart, p. 40. Sir J. Clerk's MSS.

torted,

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torted, and by earneſt entreaties, and flattering promiſes, endeavoured to reconcile the Whigs to the tranſient humiliation of acting a ſubordinate part in ſupport of government; but his expoſtulations were loſt upon them, and, at the ſame time, excited ſuch diſtruſt and jealouſy among the cavaliers, as produced a relaxation in their attachment to the court, and rendered their future ſervices precarious. It was, at this critical ſeaſon, that a political aſſociation, or club, conſiſting of ſome of the principal nobility and gentlemen of fortune, afterwards known by the name of the *Squadrone Volante*, found the opportunity of acquiring diſtinguiſhed popularity and influence, by introducing into parliament a ſeries of overtures, which, from their patriotic complexion, collected the ſuffrages of oppoſite partiſans, and ultimately obtained the royal aſſent [37]. The marquis of Tweedale, who was at the head of the *Squadrone*, propoſed, after the motion for a ſupply, that, in preference to every other buſineſs, the parliament ſhould proceed to make *ſuch conditions in the government, and ſuch regulations in the conſtitution of the kingdom*, as might effectually operate for the preſervation of religion and liberty. The public ſpirit of this overture diſconcerted all the meaſures of the court; prevented the ſupply; and excited ſuch a fermentation in the public mind, as could only be extinguiſhed by the moſt puſillanimous conceſſions, or extreme ſeverity, on the part of government.

26th May.

Independence upon the counſels of England, was the object, on which the deſire of the Scottiſh nation was now bent with an enthuſiaſtic ardour. Jarring parties inſtantaneouſly coaleſced; every difference in religious and political ſentiment was ſuſpended; the

[37] Tindal, vol. v. p. 246. 261. The chiefs of this party were, the duke of Montroſe, the marquis of Tweedale, the earls of Rothes, Roxburgh, Haddington, and Marchmont; to whom thirty commoners adhered. They were all firm friends to the revolution, and obtained great credit with the people, becauſe they profeſſed to be free from any bias of court intereſt. In the laſt years of king William, they had voted with the country party; but, after the duke of Hamilton, who headed it, had fallen under the ſuſpicion of favouring the pretender, they formed a ſeparate band, and always maintained great zeal for the proteſtant ſucceſſion. Lockhart, p. 138. Ker's Memoirs, vol. i. p. 22, 23. Lond. 1727.

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preſſing wants of government diſregarded; the threats, and the favour of the court, equally deſpiſed, during the agitation of a ſubject, ſo univerſally and deeply intereſting. The calamities of Scotland were deſcribed in the moſt plaintive ſtrains; the influence of *foreign*, or *Engliſh* counſels, terms promiſcuouſly uſed, were execrated, as the ſource of all that miſmanagement and oppreſſion, which had degraded and impoveriſhed "their native land"[38]. The interference of the Engliſh parliament, in the affair of Darien, was repreſented as the groſſeſt inſult to the ſovereignty of the Scottiſh nation. The expoſtulations of the commiſſioner, and ſtrong aſſurances that he would continue the ſeſſion till it completed every meaſure deemed eſſential to their religion and independence, upon the condition of their firſt paſſing the act of ſupply, was repreſented as fallacious and enſnaring; and, to counteract every allurement to compromiſe, recent examples were ſpecified, of the violation of the moſt ſolemn promiſes announced from the throne. After violent debates for three ſucceſſive days, the courtiers were

28th May. conſtrained to ſubmit, without a vote, to that arrangement of buſineſs which flattered the prejudices of the people; and to conſent that the ſubject of conſtitutional reformation ſhould precede the ſupply.

After this reſolution had paſſed, draughts of various acts were read, for the ſecurity of religion, and the extenſion of liberty, con-

28th. formed to the purport of the overture, introduced by the marquis of Tweedale[39]. Of theſe the principal, and indeed the only ones, matured

[38] Lockhart, p. 73, 74. "The thoughts "of the anger, without colour or ground, "which your parliament, and not the na- "tion, have thought fit to expreſs againſt "the very name of *Engliſh*, made me defer "writing, leſt my letter ſhould fall into hands "who might make an ill uſe of ſuch a cor- "reſpondence," &c. Letter from Mr. Harley to Mr. Carſtares, 19th Auguſt 1703. Carſtares's State Papers, 719.

[39] The principal of theſe were, that no Engliſhman having a Scottiſh title, unleſs he had an eſtate of twelve thouſand pounds Scots (£. 1,000) yearly rent in Scotland, ſhould have a place in the meeting of the ſtates, 6th July.

That the kingdom ſhould not engage in war, or continue in it, without conſent of parliament, 7th July.

That all treaties, wherein the nation may be concerned,

matured and formed into laws, were, an overture brought in by the duke of Argyle for ratifying all the proceedings of the convention parliament; and another, by the earl of Marchmont, for ſecuring the proteſtant religion, and the preſbyterian government [4°]. CHAP. VIII. 1703. 7th June.

From the tendency of theſe acts, and the general tenor of the public debates at this time, it plainly appeared, that, notwithſtanding the efforts that had been made to encourage and ſtrengthen the cavaliers, the intereſt of the preſbyterians prevailed in every point in which they were united; and even conſtrained the miniſters to make greater ſtretches of complaiſance, as an atonement for having diſcovered any inclination to ſlight them, by repoſing confidence in the ſervices of their antagoniſts. The two acts, now mentioned, afforded a double, or rather redundant ſecurity for the preſbyterian government. By the twenty-ſecond article of the Claim of Rights, prelacy had been declared an inſupportable grievance; and now, by the act which ratified the proceedings of the convention parliament, it was made treaſon to contradict that propoſition; ſo that as far as the authority of the legiſlature could go, that religion was immovably fixed; and yet, as if this had not been ſufficient, all the particular laws, which had been enacted by that parliament for eſtabliſhing the preſbyterian government and diſcipline, were accumulated and confirmed by a ſpecial ſtatute. Such an officious and ſuperfluous anxiety for maintaining their own prerogatives might have been overlooked without cenſure, had the preſbyterians been ſatisfied with this object, or diſcovered the fainteſt traces of tenderneſs and lenity to their fellow proteſtants, even where their own intereſt could not, in any degree, be affected by it. But ſuch was their intolerant ſpirit, that when the draught of an act of indulgence to proteſtant diſſenters 1ſt June.

concerned, ſhall be tranſacted by natives commiſſioned by parliament, 7th July.

That the heritors ſhould raiſe and arm fencible men, and exerciſe them once a month, 30th Auguſt. Records of the Parliament of Scotland.

4° By this act it was declared high treaſon to quarrel, impugn, or endeavour, by writing, or malicious ſpeaking, or other open act or deed, to alter or innovate the claim of right, or any article thereof. Records of the Scotch Parliament

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was read, it met with an oppoſition, ſo paſſionate and determined, that, notwithſtanding the honour of the queen was in ſome meaſure at ſtake, the miniſters found it expedient to relinquiſh it without a debate[41].

The act of ſecurity almoſt entirely occupied the attention of parliament, from the 9th June to the 13th Auguſt. Various overtures were introduced, ſpecifying ſuch meaſures as appeared moſt effectual for extending the trade, increaſing the opulence, and eſtabliſhing the independence of Scotland: but the voting of them was poſtponed, till the commiſſioner gave his aſſent to the act of ſecurity, which was the baſis upon which they were to be erected[42]. The debates upon the diſcuſſion of theſe topics, of which ſeveral ſpecimens are recorded, convey an exalted opinion of the information, the liberality, and the eloquence of the ſpeaker[43]. A ſpirit of independence formed a bond of union among individuals of every party. The preſbyterians ſeemed leſs afraid of a popiſh ſuc-

[41] The day on which the toleration was moved, the commiſſion of the general aſſembly drew up a repreſentation to parliament againſt the petition of the epiſcopalians, highly cenſurable for the ſophiſtry of argument and illiberality of ſpirit which it diſplays. See it, Proceedings of the Scotch Parliament, p. 16.

[42] The principal object of the propoſed act of ſecurity was to prevent the crown of Scotland being ſettled upon the ſucceſſor to the crown of England, unleſs the grievances of Scotland were redreſſed, and certain conditions, which were ſpecified, agreed to by the parliament of England. See next chapter.

The acts for trade were, one in favour of the company trading to Africa and the Indies; an act to prohibit the importation of Iriſh victual, and the exportation of Engliſh and Iriſh wool; and an act for allowing the importation of wines and other foreign liquors. Proceedings of the Parliament in Scotland, Appendix.

The intention of the laſt act was to encourage the importation of French wines, which had been prohibited four years before; and though the Scottiſh gentlemen were addicted to the uſe of French wines, and many in the nation favourable to a commerce with France, this act was obſtinately reſiſted, and carried only by a ſmall majority. The reaſon of the oppoſition was this, the cuſtoms upon wines were the chief fund for the ſupport of the civil liſt; and the importation of French wines was by far the moſt productive. In order to obſtruct every ſource of ſupply, till they were gratified with the act of ſecurity, a number of the members ſtruggled hard againſt a meaſure which, otherwiſe, would have been popular, and agreeable to themſelves. Annals of Anne, 1703, p. 59.

The ordinary annual conſumption of French wines and brandy, in Scotland, amounted from ſix hundred to a thouſand tons. Sir J. Clerk's MSS.

[43] The earl of Stair, the earl of Roxburghe, the earl of Cromarty, lord Belhaven, and Mr. Fletcher of Salton, are mentioned by contemporary authors as highly diſtinguiſhed for their eloquence. Sir J. Clerk's MSS.

ceſſor,

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ceſſor, than of ſubmiſſion to a proteſtant prince, ſeated on the throne of England. The very mention of the ſucceſſion, or any motion to reſtrain the freedom of the nation in the diſpoſal of the crown, or leading, by remote conſequence, to a concurrence with the meaſures adopted by the Engliſh legiſlature, were treated with deriſive indignation. The oppreſſion and calamities of Scotland, reſulting from an unconditional dependence on England; the long intervals of the meetings of parliament; the wanton adjournment or prolongation of ſeſſions, as beſt ſuited the jobs of miniſtry; the extravagance of government; the baſe ſervility of the Scottiſh miniſters to the court, and their treachery to their native country; were all deſcribed with that fervent indignation which the heart alone can dictate. Every reſtriction upon trade was to be aboliſhed; every channel of Engliſh influence ſhut up; every badge of inferiority and dependence torn off[44]. Political aſſociations, formed at firſt for the redreſs of ſpecific grievances, gradually enlarge the circle of their inveſtigation; and, in the progreſs and habit of ſpeculation, at length graſp at objects of reform, far beyond their early conceptions, and the deſigns which they originally profeſſed to purſue. Not ſatisfied with propoſing a disjunction from England, ſuch overtures were now introduced for promoting the purity and frequency of parliaments, for extending their privileges, and limiting the prerogatives of the crown, as amounted to a total change of government. It was moved, that no armed force ſhould be brought into the kingdom, or tranſported out of it, but with the conſent of the ſtates; that all offices, civil and military, and all penſions, formerly conferred by the prince, ſhould be entirely at their diſpoſal; that a new parliament ſhould be choſen every Michaelmas, and that it ſhould have the power of electing its own preſident, and of ad-

[44] Proceedings of the Parliament of Scotland, p. 21. 28. 47, & paſſim. The ideas of liberty generally entertained by the nobility and higher ranks in Scotland, at this time, extended no farther than to maintain the independence of the kingdom, or to reſiſt the uſurpation of England: upon theſe ſubjects, however, they expreſſed themſelves with an ardour ſuitable to the moſt correct and enlarged views of ſocial freedom.

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journing at pleaſure; and that, during the intervals of ſeſſions, the adminiſtration of government ſhould be veſted in a committee of the ſtates, appointed by, and reſponſible, ſolely, to them [45]. The commiſſion granted by the laſt parliament, for a treaty of union with England, was recalled; and it was reſolved, that no commiſſion ſhould be iſſued by the queen in future for that purpoſe, without the conſent of the Scottiſh parliament. The royal aſſent to the act of ſecurity was importunately and rudely demanded [46], as a preliminary condition to their voting for a ſubſidy, notwithſtanding that the great arrears due to the army expoſed the nation to imminent danger from mutiny and domeſtic inſurrection. After having advanced in oppoſition to the court, ſo far beyond the example of any parliament ſince the union of the crowns, it was not to be expected, that the prerogative itſelf could eſcape the ſevereſt aſſaults. When the royal aſſent to the act of ſecurity was refuſed by the commiſſioner, it was now boldly aſſerted, that the negative of the ſovereign, to any bill that had obtained the approbation of the ſtates, was an uſurpation upon their privileges, and a violation of the conſtitution [47].

9th Sept.

The

[45] Conſidering the impatience which the court afterwards diſcovered for eſtabliſhing the proteſtant ſucceſſion in Scotland, it would probably have been willing to have compounded with the ſtates, and to have accepted the ſucceſſion at the price of the propoſed limitations. To thoſe perſons who think that this would have been an improvement on the conſtitution, the patriots muſt appear to have deviated from ſound policy in refuſing to gratify the court when allured by ſuch a boon.

One act, which paſſed at this time, (16th September,) deſerves to be mentioned with particular praiſe, as an unequivocal teſt of a reforming ſpirit. It was ordained, that the pains of death and confiſcation, enacted by former laws againſt the authors of ſcandalous ſpeeches and libels, ſhould be abrogated; and that, for the future, the puniſhment of ſuch crimes ſhould be only arbitrary, i. e. diſcretionary, according to the demerit of the tranſgreſſion, life and limb always preſerved. Act againſt Leeſing-makers and Slanderers. Scotch Acts, vol. iii. p. 625.

[46] The earl of Roxburghe declared, that if there was no other way of obtaining ſo natural and undeniable a privilege of the houſe, as a vote, they would demand it with their ſwords in their hands. Lockhart, p. 57. Sir J. Clerk's MSS.

[47] It was urged in defence of this doctrine, that the act of Charles the Second, upon which the negative of the crown was founded, intended nothing more than to prevent the ſtates from promulgating laws upon their own authority, without the royal aſſent, which had been frequently done in the time of the republic. It was aſſerted, that it was unwarrantable

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The inevitable conſequences of paſſing the act of ſecurity, while ſuch a tumultuary diſpoſition raged among the people, filled the court with perplexity and diſmay. Conceſſions, favourable to the liberties of Scotland, were now earneſtly urged by the commiſſioner; 10th Sept. every thing, with the reſerve of the act of ſecurity, was tendered in the name of the ſovereign to prevail with the ſtates to vote a ſupply. A great majority remained obſtinate and inflexible, and would liſten to no terms, excluſive of their favourite act. Public buſineſs was now at a ſtand: an angry ſpirit pervaded the nation: the continuance of a ſeſſion, ſo obſtinate and refractory, gave countenance to the inſults and violence which were committed by the populace, and threatened the ſafety of all the friends of the court. The commiſſioner adjourned the parliament on the 16th September.

Theſe proceedings of the Scottiſh parliament, while they animated the hopes, and ſtimulated the efforts of the court of St. Germains, gave ſerious uneaſineſs to all who were well affected to liberty, and the conſtitution, in the neighbouring kingdom. Although the Tories there, now declining in the favour of the queen, might be ſecretly pleaſed with meaſures tending to the embarraſſment of adminiſtration, yet, to maintain the external form of patriotiſm, they were conſtrained to fall in with the general torrent of alarm, and, by imputing the diſtractions in Scotland to the errors of the oppoſite party who were at the helm of affairs, they co-operated, as we ſhall afterwards ſee, in the previous ſteps which led to the union of the two kingdoms, and the final confirmation of the proteſtant ſucceſſion [48].

rantable to infer from this, that the royal aſſent could be legally withheld from any act that had ſolemnly paſſed in that houſe; and, it was obſerved, that the negative of the crown had been interpoſed only of late, and in a few caſes. Proceedings of the Parliament of Scotland, p. 61.

[48] See *Appendix*, N° X.

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Captain Fraſer offers his Services to the Court of St. Germains—Is ſent to England—Offers to make Diſcoveries to the Miniſters—Information communicated by him to the Duke of Queenſberry, which is tranſmitted to the Court—Fraſer goes to the Highlands, where he is ill received—Returns to London—Goes to Paris—and is committed to the Baſtile—Account of Captain Murray's Commiſſion from the Court of St. Germains.—Several Perſons from France apprehended on Suſpicion.—Conduct of the Duke of Queenſberry, relative to Fraſer, gives great Offence.—The Leaders of the Squadrone brought into Office.—A Seſſion of Parliament.—The Queen's Letter.—The Settlement of the Succeſſion recommended, and liberal Conceſſions offered to the States.—The Supply urged by the Commiſſioner in preference to other Buſineſs.—The Squadrone loſe their Popularity.—Motion for conjoining the Supply and the Act of Security.—Dangerous State of Scotland.—The Commiſſioner conſents to the Act of Security.—Preparation in Scotland for Hoſtilities againſt England.—Reſolutions of the Engliſh Parliament.—Overtures and Debates.—The Seſſion prorogued.—The Squadrone fall into diſgrace with the Court.—Change in the Scottiſh Miniſtry.—Characters of the Duke of Queenſberry—and the Duke of Argyle.—The Queen's Letter to the General Aſſembly.—Their Anſwer.—Parliament meets.—The Proteſtant Succeſſion, and the Treaty of Union, recommended by the Queen.—Obſervations on the State of Parties.—The Buſineſs of the Plot reſumed.—The Miniſters bent on the Settlement of the Succeſſion.—A Motion unexpectedly made for preferring the Conſideration of the Union—which is carried.—Happy Effects of this Arrangement.—The Duke of Hamilton moves that the Nomination of the Scottiſh Commiſſioners ſhould be left to the Queen.—Motives and Characters of Perſons in Oppoſition.

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THE period intervening between the firſt and ſecond ſeſſion of this parliament has been rendered memorable by the diſcovery of a plot againſt the government, which materially affected the general ſtate of political tranſactions in Scotland; and furniſhed ground

ground for ſome of the keeneſt debates, which took place in the ſubſequent ſeſſion of the Engliſh parliament. CHAP. IX. 1703.

Captain Simon Fraſer of Beaufort, having been compelled to fly from Scotland, his native country, on account of atrocious crimes[1], arrived at Paris about the beginning of the year 1702. As he had been turned out of his regiment by king William for ſeditious practices, he more eaſily obtained an introduction to the dowager queen at St. Germains; and, by his inſinuating manners, procured credit for that zeal with which he profeſſed to be devoted to the intereſt of her family. Ambitious of being a maſter-actor in every buſineſs in which he was employed, he aſſured the queen, that he was authorized by ſeveral of the Scottiſh nobility, and the chieftains of the Highland clans, to offer their ſervices to their injured prince; and he undertook, in their name, to raiſe an army of twelve thouſand men, upon the condition of receiving a ſmall reinforcement, and a ſupply of money from France[2]. From the recommendation of the queen, and the pope's nuncio at Paris, whoſe patronage Fraſer had obtained by embracing the Roman catholic religion, he was indulged in a private audience of the French king[3], and afterwards had ſeveral converſations with the marquis de Torcy, upon the affairs of Scotland, and the plan of ſervice which he propoſed to execute. The amplified accounts he gave of the force and reſources of the highland chieftains, on purpoſe more readily to procure ſuccour 1695.

[1] Captain Fraſer had committed a rape, and had afterwards fled to the continent. He had alſo been guilty of forgery and ſeditious practices; but obtained king William's pardon in the year 1701, for all his crimes, except the rape. Minutes of Privy Council, Auguſt 1702. He returned to Scotland, probably expecting that the lady he had injured would give him no further trouble, on account of the peculiar delicacy of her ſituation. But ſhe renewed the proſecution which had been formerly inſtituted againſt him, and he again fled from the country; upon which the court of juſticiary condemned him; and, together with the privy council, offered a premium for apprehending him. Account of Captain Fraſer of Beaufort. Edinburgh, 1703. Minutes of the Privy Council of Scotland, 19th February, and 16th July, 1702, &c.

[2] Collection of Original Papers about the Scotch Plot. Edinburgh, 1702.

[3] Lockhart, p. 76, 7. Fraſer told the earls of Argyle and Leven, that he was obliged to declare himſelf a Roman catholic before he could engage the court of St. Germains to liſten to his projects. See Captain Murray's Declaration to the Queen concerning Lovat, Macpherſon's State Papers, 1704.

from

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from the French king, produced the oppoſite effect, and, together with the unfavourable impreſſions of Fraſer's character, rendered that prince equally diſtruſtful of the capacity and integrity of ſuch an officious agent [4].

But though theſe circumſtances prevented any concert or agreement, about immediate interference in Scotland, on the part of Lewis, they did not open the eyes of queen Mary, and, eager as ſhe was to graſp at every ſhadow of hope, ſhe conferred the commiſſion of a colonel on Fraſer; and ſent him, and captain John Murray, to conſult with their friends in Scotland, about taking active ſteps for reſtoring the hereditary ſucceſſion of the crown. As captain Murray's fidelity had been tried by the court of St. Germains, it is probable that he was conjoined in this commiſſion, to keep a vigilant eye upon his colleague, and control that propenſity to treacherous intrigue, of which the latter was ſuſpected. At the ſame time, to cover any jealouſy which the queen might entertain of Fraſer, and to enable them to carry on the buſineſs with which they were intruſted, more ſpeedily and extenſively, different departments were conſigned to captain Fraſer and captain Murray. The former was to viſit the highland chieftains, with whom he pretended to have intereſt; while the latter remained in the low country, to take every opportunity of diſcovering the inclinations of the gentlemen there, with reſpect to the competitors for the crown. Both of them were inſtructed, by the queen and her ſon, to expreſs the warmeſt gratitude to their friends, and to recommend

[4] Campbell's Declaration, 21ſt December; Macleod's, 32d. Maclean's. Collection of Original Papers, part ii. p. 1, &c. The Memoirs of Lord Lovat, lately publiſhed, contain ſuch a palpable contradiction to notorious and well-atteſted facts, that I think it unneceſſary to detain the reader with a detail and refutation of the falſehoods and miſrepreſentations which are advanced relative to that part of his hiſtory which has come under my notice. The book, however, bears ſtrong marks of the character of lord Lovat: it is juſt ſuch a compoſition as might have been expected from him; and, conſidering the eccentricity of the author, may afford amuſement to the curious reader. It ſeems to have been written for the purpoſe of vindicating himſelf to the courts of France and St. Germains; and was probably ſhewn to perſons of leading influence in both. But this is merely my own conjecture, not having had any opportunity of inquiring about the authenticity of the book.

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to them perſeverance in fidelity, and readineſs to act upon the firſt favourable conjuncture, when they might be aſſured of obtaining immediate and adequate aſſiſtance from the French king. Captain Fraſer was empowered to renew all the military commiſſions which had been iſſued by the late king James, and to promiſe an indemnity for paſt offences to every perſon now willing to engage in the ſervice of his ſon. It was recommended to the agents and friends of the court of St. Germains in Scotland, to conduct themſelves with the utmoſt circumſpection, and, on no account whatever, to proceed to open hoſtilities againſt the eſtabliſhed government, till they had freſh inſtructions for that purpoſe, which were to be regulated by the intelligence procured by captain Fraſer, concerning the opinion and force of their adherents [5].

Conſidering the profligacy of Fraſer, it may be queſtioned, whether he ever had any intention of performing effectual ſervice to the chevalier. If he had, he probably became diſguſted at the coldneſs with which he was received by the French king; and no ſooner ſet his foot in England, than he formed the nefarious project of counterplotting his aſſociate, and betraying the truſt which he had procured through the facility and precipitate confidence of the queen. Having been formerly patroniſed by the duke of Argyle, and the earl of Leven, who were ſtrongly attached to the Whig intereſt, he notified his arrival to them, and offered to make diſcoveries of the greateſt moment to government, provided he had previous aſſurance of protection and reward [6]. The intelligence was immediately communicated by theſe noblemen to the duke of Queenſberry, who had been her majeſty's commiſſioner in the laſt ſeſſion of parlia-

Juue.

[5] Compare Campbell's farther Examination. Collection of Original Papers, p. 31. Sir John Maclean's Diſcovery. Id. part ii. p. 4. with Inſtructions to Captain Murray, 3d and 5th May 1703, to Lord Lovat, which title he then bore at the court of St. Germains; it was ſuſpended in Scotland by the ſentence of outlawry. Stuart's Papers, 1703. Macpherſon.

[6] Campbell's Declaration, 24th Dec. Collection, p. 21. The duke of Argyle, to whom Fraſer applied, was father of John duke of Argyle, and died September 1703, before the buſineſs of the plot had tranſpired.

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ment, and ſtill continued to be principally intruſted with the management of Scottiſh affairs.

The duke was not inſenſible of the delicate ſituation in which he was involved by this diſcovery, and of the ſpecious objections to which his conduct muſt inevitably be liable, whatever part he ſhould take. As a public magiſtrate, it was his duty to carry the ſentence of the criminal court into execution againſt Fraſer, whoſe guilt, ſingularly abominable and ferocious, repreſſed every emotion of lenity, and combined virtuous indignation with that reverence which is due to the authority of law, while it diſparaged every information proceeding from ſuch an author. As Fraſer's crimes had wounded the honour and peace of ſome of the moſt reſpectable families in the country, any connivance, or remiſſneſs in proceeding againſt him, and ſtill more, any confidence or indulgence ſhewn to him, could not fail to expoſe the duke to their reſentment, which would be juſtified by the ſympathy of every perſon of candour and ſenſibility.

On the other ſide, there were not wanting political, and even patriotic motives, for adopting a determination, different from what was ſuggeſted by the conſiderations already mentioned. Many circumſtances, at this time, ſingularly critical and portentous, exacted uncommon vigilance, and a promptitude to alarm, from all the ſervants of the ſtate; and even vindicated a deviation from that ſtrict and punctilious adherence to form, which ought invariably to regulate their official proceedings in ordinary caſes during the ſeaſon of public union and tranquillity. Several perſons of a ſuſpicious character, and ſome who had been in the ſervice of the pretender, had returned to Scotland after the act of indemnity. The inſolence of the cavaliers, who had deſerted the court, could only be accounted for on the ſuppoſition of their looking to another quarter for promotion and recompence; conſiderable ſums of money had been lately remitted from France, to Scotland and Ireland; aſſocia-

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tions had been formed among the chieftains, addicted to the intereſt of the chevalier; the governor of Fort William had certain information, that the highlanders were to aſſemble from every quarter, upon the pretence of a hunting-match, on the 2d Auguſt 1703; that ſeveral perſons of diſtinction were to be there, and particularly the laird of Grant, attended with five hundred men of his own clan, in arms[7].

The duke of Queenſberry was in ſome meaſure deprived of any diſcretionary power of judging and acting, upon ſuch occurrences as affected the peace of the country; and had been ſtrictly enjoined, by the miniſters, to be watchful and inquiſitive, and not to ſpare pains or money for diſcovering any ill deſigns carrying on by the enemies of government. After weighing theſe circumſtances, it is leſs ſurpriſing that he came to the reſolution of admitting captain Fraſer into his preſence; and even promiſed to ſupply him with money, on condition of his making uſeful diſcoveries. The ſame ſpirit of exaggeration, which tainted the communications of Fraſer, in the character of a political ſchemer at the court of St. Germains, ſtill attached to the diſcoveries which he now made, when acting the part of an informer and a ſpy. To the circumſtances of his own connexion with that court, which were placed in ſuch a light, as to convey the belief of his having been in all its ſecrets, he now added, that, from the information communicated by the friends of the houſe of Stuart in Scotland, he expected to find them prepared for an inſurrection upon his arrival; that the queen, and her ſon, repoſed entire confidence in the zeal of ſeveral of the Scottiſh nobility; he named ſome of them who correſponded with St. Germains; and produced a letter written and ſigned by the queen, addreſſed to lord Murray, now marquis of Athole, which he had found an opportunity of intercepting, as it had been intended to

[7] The Duke of Queenſberry's Letters, 11th Auguſt 1703; 14th January 1704. Captain Hamilton's Letter to Lieutenant-general Maitland, 23d July 1703.

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convey it by another hand[8]. To accompliſh more effectually the ſervice in which he now engaged in behalf of the preſent government, he propoſed to return to Paris, and to furniſh the duke with full and minute intelligence of the ſchemes concerted by the French king, and the exiled court, for overturning her majeſty's throne.

All the information, which the duke of Queenſberry received from captain Fraſer, he communicated to the queen, and, though he concealed the name of the author, and expreſſed ſome ſuſpicion of his veracity, he added, that his commiſſion under the hand and ſeal of the prince of Wales gave credit to what otherwiſe could not be believed[9]. The earl of Nottingham, the ſecretary of ſtate, having intimated to the duke her majeſty's approbation of all that he had done, he ſtill continued to employ Fraſer in ſuch a way as ſeemed likely to lead to farther diſcoveries. He ſupplied the informer at different times with money, and furniſhed him with a paſs, that he might travel without ſuſpicion, through the ſouth of Scotland into the highlands, where he intended inſidiouſly to avail himſelf of his commiſſion from the pretender, for detecting ſuch perſons as were diſpoſed to embark in his intereſt[10]. So notorious, however,

[8] This letter was directed on the back, "Lord M——y," in a character and ink different from what had been uſed in the letter, and not inſcribed at the bottom of the page.

Fraſer, like all double men, was a groſs flatterer; and, to inſinuate himſelf into the duke of Queenſberry's favour, he contrived ſuch a ſpecification of facts, as flattered both the private virtues and the political ſentiments of that nobleman. He ſaid, he had ſeen a letter from lord Tarbat, intimating to lord Middleton his being appointed ſecretary of ſtate; and adding, that, in a ſhort time, the duke of Queenſberry would be turned out, an event much to be deſired, becauſe he obſtructed every deſign formed for the intereſt of king James; Fraſer farther declared, that the ſame letter mentioned the duke of Queenſberry's having received a preſent of five thouſand pounds from the court of Hanover; upon which information, lord Middleton expreſſed great ſurpriſe, and ſaid, that he knew the duke of Hamilton was capable of being bribed, but did not believe that the duke of Queenſberry would take money. Queenſberry's Letter, 25th September 1703. Collection, p. 7.

[9] Queenſberry's Letter, 25th September 1703. Collection.

[10] The Duke of Queenſberry's Declaration; Collection, p. 55. The duke of Queenſberry denied any previous knowledge of Fraſer's intention to go to the Highlands. But as the duke gave Fraſer three hundred pounds, and alſo procured him a paſs from the earl of Nottingham; and, as Fraſer ſaid, at their firſt interview, that he would employ his time in finding out ſome more effectual intelligence, by means of thoſe perſons who had lately come from

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however, was the infamy of this man, that he ſeems to have been generally abhorred and avoided; and, after wandering about without having any opportunity of betraying hoſpitality, he returned to London, where he again had private interviews with the duke of Queenſberry. He and two of his companions were furniſhed, by the earl of Nottingham, with paſſes to Holland, under fictitious names; from Holland he proceeded to France, perhaps with the purpoſe of performing his engagements, as a ſpy for the Engliſh miniſters; but ſome of his companions, who were true to the intereſt which he deſerted, having diſcovered his double-dealing, gave notice of it to the court of St. Germains; and, ſoon after his arrival in Paris, he was thrown into the Baſtile; and met with the diſgrace juſtly due to ſuch complicated and enormous treachery [11].

Captain Murray, who accompanied Fraſer, though he continued faithful to his truſt, did not meet with the reception which he had been encouraged to expect from the flattering repreſentations of his colleague. He reſided principally in Edinburgh, the centre of intelligence, and had many conſultations with the friends of the exiled family; but none of them ſeemed diſpoſed to enter into any enterpriſe of hazard for precipitating that ſucceſs, which they hoped to accompliſh, after a ſhort lapſe of time, by the ſpontaneous interpoſition of the queen, or the fortunate turn of events [12].

A few weeks after the miniſtry had received information of Fraſer's arrival from the duke of Queenſberry, ſeveral perſons coming from France to England, were apprehended upon ſuſpicion of their being engaged in the ſervice of the pretender, and this, correſponding with the circumſtances already mentioned, ſpread a ge- 10th Nov.

from France, the duke certainly left it to Fraſer's own diſcretion to go wherever he choſe; and can hardly be ſuppoſed to have been ſo indifferent in a matter of ſuch importance, as not to have inquired about his journey and occupation.

[11] Account of the Scotch Plot, from a Gentleman in the City to his Friend in the Country, p. 2. Campbell's Declaration. Collection, p. 22. Keith's, Id. p. 35, 36. Fraſer's Letter, 8th January 1704.

[12] Campbell's Evidence. Collection, p. 22.

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neral alarm; and occaſioned the reſolution of the houſe of lords, of which an account has been given in a preceding chapter.

Although the conduct of the duke of Queenſberry was juſtified by the ſtate of the country, and by the previous inſtructions and ſubſequent approbation of the miniſters, yet it did not eſcape the cenſure of his countrymen, and became the principal cauſe of depriving him, for a ſhort time, of that political ſway which he had long maintained in Scotland. The party in oppoſition complained of his having made the plot a handle for aſperſing their characters, and ruining their intereſt with the court. The duke of Athole, who had been accuſed by Fraſer, preſented a memorial to the queen, from the tenor of which, it appears, that he was not more anxious to vindicate his own innocence, than to retort a charge of criminality upon the duke of Queenſberry, founded upon the intercourſe he had held with Fraſer [13]. The cavaliers, offended becauſe he had grown cold to them, and forwarded the bills for confirming the revolution and the preſbyterian government, accuſed Queenſberry of having fabricated the plot with a deſign of bringing them under ſuſpicion [14]. Many of the revolutioniſts, inſtead of being alarmed, as they were wont to be upon any rumour of danger to the proteſtant ſucceſſion, were not diſpleaſed with an occurrence which brought diſcredit upon a miniſter, who had ſlighted them for a ſeaſon, and of whoſe intentions they now began to be exceedingly diſtruſtful, notwithſtanding his avowed attachment to their principles. The deteſtable character of Fraſer, not only detracted from his teſtimony, but imparted a ſhare of ignominy to every perſon who gave him countenance, and employed him. At the ſame time,

[13] Memorial to the Queen by the Duke of Athole, 18th January 1704. Collection, p. 8. The duke of Athole had notice of the accuſation brought againſt him by Fraſer, from the infamous Ferguſon, who never was out of a plot; and who, being ſuſpected and examined on this occaſion, declared that he believed the conſpiracy to have ariſen, merely, from the reſentful ſpirit and mercenary views of Captain Fraſer. Compare Athole's Memorial, Collection, p. 8. with Ferguſon's Declaration, Id. p. 13.

[14] Guthrie's Hiſtory of Scotland, vol. x. p. 350. Lockhart, p. 74, 75.

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the veil which was drawn over the whole of this buſineſs by the Engliſh miniſters, and their ſupineneſs in examining ſuſpected perſons, ſuggeſted a different ground of jealouſy, and was often referred to, as a preſumptive proof of the danger of the proteſtant ſucceſſion. 1703.

Since the adjournment of the Scottiſh parliament, every party had been ſtriving to gain the aſcendancy, at a period, when it might be improved to the moſt ſubſtantial private benefit, as well as to the eſtabliſhment of national independence. Many perſons of rank reſorted to the court, that they might have an opportunity of refuting any miſrepreſentations of their conduct, infuſed into the breaſt of the ſovereign, and of propoſing themſelves as candidates for her patronage. Various plans of coalition were ſet on foot for the ſame ends. The cavaliers, diſſatisfied with the duke of Queenſberry, for the reaſons already ſpecified, made their court to the Squadrone, not leſs exaſperated againſt him for having called in the co-operation of the former to thwart all their favourite meaſures for eſtabliſhing the independence of the nation. Feeling their conſequence, more than they had done at any former period, and wiſhing ſtill farther to increaſe it, the leaders of the Squadrone did not deciſively oppoſe the overtures of the Jacobites, while, at the ſame time, they entered into a confidential correſpondence with her majeſty's miniſters, now well pleaſed to cheriſh the friendly propenſities of a ſet of men, who, from their flaming pretenſions to patriotiſm, had acquired a predominant influence over the minds of the people [15]. The court indeed, at this time, had hardly any alternative with reſpect to the choice of perſons to be intruſted with the management of Scottiſh affairs. The duke of Queenſberry and his partiſans being laid aſide, and the cavaliers more than ever ſuſpected after the diſcovery of the plot, the Squadrone leaders alone remained competent for exerciſing the functions of government, with any proſpect of ſucceſs. A few months after the adjournment, ſome of thoſe members, who had been moſt 1703, 4.

[15] Lockhart, paſſim.

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violent in oppoſition, were diſtinguiſhed by the favour of the court; and before the meeting of the next ſeſſion, the principal miniſterial offices were veſted with the heads of the Squadrone. The marquis of Athole was raiſed to the dignity of a duke, and lord Tarbat made earl of Cromartie. The marquis of Tweedale was appointed her majeſty's high commiſſioner [16]. The earls of Roxburghe and Seafield, ſecretaries of ſtate; the earl of Rothes, lord privy ſeal; Mr. Baillie of Jerviſwoode, lord treaſurer depute; and Mr. Johnſton, lord regiſter [17].

The ſecond ſeſſion of this parliament commenced at Edinburgh on the 6th of July 1704. The queen expreſſed regret that all her endeavours for removing the animoſities of Scotland had proved unſucceſsful; and that diviſions had ariſen to ſuch a pitch, as to encourage the projects of her foreign enemies for rendering that part of her kingdom a ſcene of diſorder and blood. She was confident, that her Scottiſh ſubjects were *loyal* and *faithful*; and that the late *miſtakes* proceeded entirely from different opinions with reſpect to meaſures of government: ſhe aſſured them of her willingneſs to do all in her power for rectifying abuſes, and quieting the minds of her ſubjects; and that, for this end, ſhe had empowered her commiſſioner to conſent to whatever laws ſhould be found neceſſary for the ſecurity of the government in church and ſtate. She was perſuaded, that, in return, they would embrace the preſent opportunity to convince the world, that *the true love of their country*, and not any want of duty to her, had been at the bottom of the late miſunderſtandings. She recommended, with the greateſt earneſtneſs, the ſettlement of

[16] The marquis of Tweedale, conſidered at this time as the leader of the Squadrone, was a perſon of great good ſenſe and modeſty, but very hot when he received any provocation; he was a great encourager of trade and every improvement, and had the character of a patriot. MS. Characters.

[17] Ker's Memoirs, vol. i. p. 24. The marquis of Douglas, though a minor, was at this time created a duke; the viſcounts of Stair and Roſeberry were made earls; lord Boyle was created earl of Glaſgow; James Stewart of Bute, earl of Bute; Charles Hope of Hopeton, earl of Hopeton; John Crawford of Kilbernie, viſcount of Garnock; and ſir James Primroſe of Carrington, viſcount of Primroſe.

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the ſucceſſion in the proteſtant line, as abſolutely neceſſary for their own happineſs, and the ſecurity of her majeſty's dominions, which ſhe declared had been her fixed judgment ever ſince ſhe came to the throne, and, if longer delayed, might make Scotland a ſcene of horror and devaſtation. With reſpect to the terms and conditions of government which were to affect the ſucceſſor, ſhe was ready to grant every thing in her power, that could be reaſonably demanded; and ſhe concluded with a recommendation, to make a proviſion for all the extraordinary occurrences occaſioned by the war.

The ſingularity of this addreſs, from a ſovereign to her ſubjects, merits the particular notice of the reader, and conveys, as ſtrongly as any facts can do, the ſenſe entertained by miniſters of the difficulties they had to encounter from the ungovernable diſpoſition of the people, and the unſettled ſtate of affairs in Scotland. An oppoſition, which had thwarted her majeſty's favourite meaſures, and obſtructed the ſupply, is characteriſed by epithets reflecting the higheſt honour upon all who had a ſhare in it. Nor perhaps was ever ſuch a latitude of conceſſion tendered by any prince to ſubjects, who were not in a ſtate of actual inſurrection againſt the eſtabliſhed government. The conditions, upon which the ſucceſſor was to govern, are left entirely in their own hands. And, that they might not harbour the ſuſpicion of any deception, the commiſſioner, whoſe ſpeech had been always underſtood as an authentic comment upon the royal letter, told them that it was now in their power to ſecure every thing they could wiſh for the good of the country [18]. A language, ſo cajoling to perſons who had ſet their face againſt government, and conceſſions, affording ſuch a wide ſcope for faction, intrigue, and innovation, could only have been wrung from miniſters, under the ſtrong impreſſion of approaching danger, likely to be aggravated by maintaining a lofty tone of authority.

[18] Records of the Scotch Parliament.

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It ought alſo to be remarked, that the queen's letter, at the opening of this ſeſſion, was the firſt that had made any direct mention of ſettling the ſucceſſion to the throne of Scotland upon the houſe of Hanover. This point, however much deſired by her Engliſh ſubjects, had hitherto been a matter of indifference to the ſovereign; and, perhaps, poſtponed from motives of policy and the impulſe of natural affection. But, when her majeſty began to dread perſonal danger from conſpiracies, and was made ſenſible that the contingent ſtate of the ſucceſſion preſented, at once, the ſtrongeſt temptations, and the moſt favourable opportunities for carrying them into execution, ſhe entered ſeriouſly into the views of the houſe of lords, who adviſed her to preſs upon the ſtates in Scotland the entailing the crown to the proteſtant line [19]; and the commiſſioner was therefore inſtructed to grant every thing they demanded, provided that meaſure could be effected. So ſtrongly however were many of that aſſembly prepoſſeſſed with the opinion of the queen's being ſecretly attached to the claims of her brother, that, leſt her public aſſeverations to the contrary ſhould not meet with due credit, it was deemed neceſſary, though certainly little to her majeſty's honour, to corroborate and enforce them by the teſtimony of her miniſters. The chancellor, who, after the commiſſioner, addreſſed the ſtates with a profuſion of eulogiums on the royal letter, alluding to an indecent diſtinction adopted by ſome divines, aſſured them, that her majeſty had no *ſecret will*, contradictory to that which ſhe revealed; and that nothing could pleaſe her better, than to believe and obey what ſhe ſaid [20].

The preſent critical ſituation of England, engaged in an extenſive and coſtly war, the ſpirit of conceſſion which that ſituation ſug-

[19] Journals Lords, 31ſt March, 1704. From the delay of the ſettlement of the ſucceſſion, every party began to ſuſpect, that the queen had an eye to St. Germains. The zealous revolutioniſts were thereby diſcouraged; and the Jacobites ſtimulated to intrigue. Letter from lord Glaſgow to Mr. Carſtares, Edinburgh, 27th November 1703. Carſtares's State Papers, p. 723.

[20] Records of the Scotch Parliament.

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geſted to the miniſters, and the enthuſiaſtic ardour of the Scottiſh nation for independence, exalted the ſtates at this period to a pre-eminenc eand dignity which they never had attained before, ſince their political conexion with England; and impreſſed the patriots with the moſt flattering proſpect of aboliſhing every grievance, and eſtabliſhing the freedom of their native country upon ſolid and laſting foundations. The queſtions and debates which occur in the proſecution of theſe objects during this ſeſſion, and the tempers of the ſpeakers, exhibit ſuch an exact ſimilitude to what has been delineated in the hiſtory of the preceding one, that a ſpecific detail of them would only lead into a repetition of arguments, which could contribute neither to the inſtruction, nor amuſement of the reader. The ſettlement of the ſucceſſion and the ſubſidies were recommended by the commiſſioner, as requiring the moſt ſpeedy diſpatch; and the recent circumſtances of danger, ſo alarming to the nation, were urged by his partiſans, as a ſufficient apology for deviating from that order of buſineſs, which they had ſo ſtrenuouſly contended for in the preceding ſeſſion, and for preferrring theſe ſubjects to the overtures for conſtitutional reformation. From the declaration of ſome of the witneſſes who had been examined on the plot, it was evident, that the friends of the pretender reſted their fondeſt hopes upon the vague ſtate of the ſucceſſion; and that the court of St. Germains would regard any oppoſition from the ſtates to the motion for bringing it to an iſſue, as a pledge of their good will and future ſervices. But this change of ſentiment in the Squadrone, however ſpeciouſly defended, only operated to the ſubverſion of the popularity they had acquired in the preceding ſeſſion; and the plot, which had been the pretended inſtrument of their converſion, furniſhed the anti-courtiers with new, and inconſiſtent objections to the conduct of the Engliſh miniſters and legiſlature. By dilatory proceedings, the former meant to employ it as a check upon that noble ſpirit of patriotiſm which animated the generality of the Scottiſh nation, conniving at ſurmiſes ruinous to ſome of the beſt

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friends of their country, and intimidating others with the threats of accuſation, ſhould they dare to contravene the will of the court with reſpect to the ſucceſſion and ſupply; while the houſe of lords in England, by aſſuming to themſelves the examination of the ſuſpected perſons, had not only officiouſly intermeddled with Scottiſh affairs, but encroached on the ſovereignty and independence of the kingdom [21]. The ſtates had the beſt right to every information in a buſineſs, ſo peculiarly intereſting to their own credit and the ſafety of the country; and it was moved, that the lord commiſſioner ſhould, in their name, ſolicit her majeſty to ſend down all the witneſſes and papers relating to the plot; that, after diligent and impartial examination of evidence, thoſe, who were falſely accuſed, might be vindicated; and the guilty puniſhed according to their deſerts [22].

The act of ſecurity, however, was the theme ſtill uppermoſt with the ſtates, and obtruded, in diverſified ſhapes, under every ſubject of debate, that it might be underſtood as a neceſſary preliminary to any terms of amity, or conciliation. To enſure ſucceſs beyond every hazard, ariſing either from the intrigues of the court, or any after

25th July. abatement in their own zeal, it was reſolved, that the ſupply and the act of ſecurity ſhould be conjoined, and neceſſarily ſubjected to the ſame, indiſcriminate fate. Every circumſtance now concurred to inſpire the miniſters with deſponding apprehenſions concerning the ſtate of the public. The treaſury was exhauſted: diſaffection and turbulence infected every order: the army, weak, ill paid and mutinous, inſtead of overawing and repreſſing, was likely to encourage

[21] It was afterwards moved, that the addreſs of the houſe of lords to the queen, in relation to the ſucceſſion of the crown of Scotland, and to the examination of the plot, in ſo far as concerns Scotſmen, was an undue intermeddling with the concerns of Scotland, and an encroachment upon the independence and ſovereignty of the nation; but that the proceedings of the houſe of commons in England were like thoſe of good ſubjects to the queen, and good and friendly neighbours to Scotland. The firſt clauſe, relative to the houſe of lords, was carried, and the laſt rejected. A day was alſo appointed for examining the plot, and an application made to the court for thoſe documents which had been ſent to London from the Scottiſh privy council. Records of the Scotch Parliament, 8th, 9th Auguſt 1704.

[22] Id. 17th July.

and

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and abet inſurrections among the people[23]. While the affairs of the French king were growing deſperate by the repeated defeats of his armies on the continent, the ungovernable temper of the Scots, and the numerous adherents of the houſe of Stuart, preſented to him a favourable opportunity for changing the ſcene of action, by lighting the torch of diſcord within the boſom of that country which had upheld the confederacy. Should he ſucceed in making a deſcent on the coaſt of England, there could be little doubt of his being ſeconded by the irruptions of a rebellious multitude from Scotland into the northern counties, which would occaſion the recall of the Engliſh troops in foreign ſervice, and turn the fortune of the war[24]. The only expedient for eluding ſuch accumulated and ſtupendous dangers, was to paſs the act of ſecurity. Many evils were foreſeen to reſult from a conceſſion which was now to be made with a bad grace, after long and obſtinate reſiſtance; but it remained for the miniſters only to make a choice between diſtant and preſent evils.

[23] The Scottiſh army, at this time, conſiſted only of three thouſand men, double officered. The Right of Succeſſion, p. 60. The detail of the military eſtabliſhment in Scotland, in the year 1681, being a time of peace, I find ſtated as follows: The horſe-guards, one hundred men; the foot-guards, ten companies of a hundred men; three troops of horſe, of ſixty horſemen; three troops of dragoons, of ninety-five; one regiment of foot, of ten companies of an hundred men: in the caſtle of Edinburgh, one hundred and twenty ſentinels; in Stirling caſtle, eleven. Officers are not included in the above liſts. The whole pay of the above troops amounted to £. 26,786 : 8 : 0 per annum. Right of Succeſſion, p. 10.

This eſtabliſhment was reduced in the proportion of ſeveral hundreds after the revolution, which was probably owing to the great number of recruits drawn from Scotland during the continental war. Id. 52.

At the beginning of the reign of queen Anne, Scotland had only three ſhips of war of a 5th or 6th rate, ſcantily manned, to protect their trade.

The army in England, in the year 1705, conſiſted of ſixty-five thouſand, two hundred men, beſides five thouſand foreigners in her pay. The Engliſh fleet carried forty thouſand ſailors and marines. If Scotland had been rated in the ſame proportion with England, according to population, her quotas, both for the land and ſea ſervice, ought to have amounted, nearly to triple the number which ſhe actually furniſhed. The diſproportion of the efficient force of the two kingdoms was, as thirteen to one; that, which was actually produced or collected, was, as twenty-ſix to one. Idem.

In the caſe of a diſunion between England and Scotland, how deſpicable in the competition muſt the force of the latter have been!

The troops maintained by Ireland, after the peace of Ryſwick, conſiſted of twelve thouſand men. Id. p. 54.

[24] Cunningham, vol. i. p. 413.

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The unforeſeen courſe of events, or the future ingenuity and diſcretion of ſtateſmen might perhaps provide an antidote againſt the former; but thoſe, which had already gathered over their heads, admitted of no alternate remedy. The act of ſecurity alone could prevent the exploſion. After the adjournment of the parliament for a few days, the commiſſioner announced to the ſtates his having received the royal authority for paſſing the act of ſecurity[25].

5th Auguſt.

By this act, England and Scotland were now legally disjoined; and, unleſs a renewal of their union could be effected upon terms more equal and popular than had taken place hitherto, both nations muſt inevitably be plunged into all the horrors of a civil war. As if upon the eve of that awful criſis, both of them began to carry on hoſtile preparations, openly, and under the ſanction of law. Agreeably to a clauſe in the act, fencible men were raiſed in the ſeveral counties of Scotland, furniſhed with arms, and trained to military diſcipline. In the ſpirit of retaliation, as well as from conſiderations of a provident and fair policy, the parliament of England addreſſed her majeſty to give orders for fortifying the border towns, for arming the militia, and augmenting the regular troops ſtationed in the northern counties[26]. Several acts were paſſed tending to deſtroy the commerce of Scotland, by preventing the exportation of wool, horſes, arms, and ammunition, from England and Ireland into Scotland; and for prohibiting the importation of linen cloth, black cattle,

[25] Records of Parliament. "The principal clauſe of this act was that which provided, that the ſucceſſor to the crown of Scotland ſhould not be the ſame with the ſucceſſor to the crown of England, unleſs, that in this preſent ſeſſion of parliament, or any other ſeſſion of this, or any enſuing parliament, during her majeſty's reign, there be ſuch conditions of government ſettled and eſtabliſhed, as may ſecure the honour and ſovereignty of this crown and kingdom, the freedom, frequency, and power of parliaments, the religion, liberty, and trade of the nation, from Engliſh or any foreign influence, with power to the meeting of the ſtates, to add ſuch farther conditions of government as they ſhall think neceſſary, the ſame being conſiſtent with, and nowiſe derogatory from thoſe, which ſhall be enacted in this or any other ſeſſion of parliament during her majeſty's reign." See the Act, Appendix to the Annals of Anne, 1704, N° I.

[26] Journals Lords and Commons, December 1704.

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ſheep, coals, and ſalt, from Scotland into England [27]. The commiſſioners of the admiralty were inſtructed to iſſue orders to her majeſty's navy for making prizes of all Scottiſh ſhips trading to France, or to any of the ports of her majeſty's enemies; and an additional number of cruizers were put into commiſſion for the more effectual execution of theſe orders [28]. The prudence and moderation of the Engliſh parliament were at the ſame time illuſtriouſly diſplayed, by qualifying the various reſolutions which provided for the ſafety of England with ſuch kind hints and limitations, as pointed out, and invited the ſtates of Scotland to embrace the certain means of avoiding the deſperate calamities to which both nations were jointly expoſed; and evinced an unfeigned deſire of eſtabliſhing a permanent friendſhip with their Scottiſh neighbours [29]. For neither the alienation bill, nor the penal conſequences annexed to it, were to operate againſt the Scots, except in the caſe of their declining to ſettle the ſucceſſion to their crown in the proteſtant line; and, that no after-reluctance or delay, on the part of England, might fruſtrate the happy event of an union, the queen was veſted with a ſtanding authority to appoint commiſſioners for that purpoſe, whenever the ſtates of Scotland ſhould expreſs their willingneſs to enter upon a treaty [30].

[27] Theſe articles were ſuppoſed to bring a clear profit of one hundred and twenty thouſand pounds per annum into Scotland; of which one hundred thouſand aroſe from the article of cattle alone. Account Current, p. i. Sir J. Clerk's MSS.

From England the principal importations into Scotland were, India goods, Eaſt and Weſt, of all kinds, butter, cheeſe, tallow, leather, all kinds of houſehold furniture, wearing apparel, arms, ſaddles, and horſes, calculated in the groſs at one hundred and fifty-one thouſand pounds per annum, ſo that the balance againſt Scotland was thirty-one thouſand pounds per annum, beſides the money carried out by the nobility and gentry who reſided in England. Account Current, p. 3.

Scotland had a conſiderable traffic with England by means of pedlars, ſome of them carrying their wares on their backs, but moſt of them on horſes. Their packs conſiſted moſtly of linen cloth and lace, and were worth one hundred, ſometimes two hundred pounds. Theſe ſtrolling merchants from Scotland were ſuppoſed to amount to upwards of two thouſand at the time of the union. Right of Succeſſion to the Crown, p. 5.

[28] Journals of Lords and Commons, November and December 1704, paſſim.

[29] Journals Commons, 24th November 1704, 5th February 1705.

[30] Id. *Appendix*, N° X. XI.

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After paſſing the act of ſecurity and granting a ſupply of ſix month sceſs, the buſineſs of the plot was reſumed; and, if the ſeſſion had been continued, would probably have been productive of additional embarraſſments to adminiſtration. Several days were employed in the examination of the public accounts[31]. A long debate took place relative to a bill for the exportation of wool; thoſe, who were deſirous to purſue conciliatory meaſures with England, endeavoured to prevent it, becauſe it was injurious to the manufactures of that kingdom, and tended to widen the breach between the two nations. But the bill paſſed, and was a ſignal to the commiſſioner to cloſe a ſeſſion bent upon multiplying impediments to reconciliation[32]. On the 27th of Auguſt, he addreſſed the ſtates, expreſſing his regret, that they had not given ſuch diſpatch to uſeful buſineſs as might have been expected from the time with which her majeſty had indulged them; and next day, prorogued the parliament to the 7th October.

8th Auguſt. 11th. 14th, 15th, 16th. 22d.

Although a few preferments were beſtowed on the friends of the Squadrone after the receſs, it ſoon appeared that the proceedings of the laſt ſeſſion had not anſwered the expectations of the miniſters; and, having given great offence to the parliament of England, quickly contributed to the diſcredit of the perſons who had lately preſided in the government of Scotland. The chiefs of the Squadrone had undertaken for the ſettlement of the proteſtant ſucceſſion, upon her majeſty's gratifying the nation with the act of ſecurity; and, from the concurrence of the preſbyterian intereſt, and that of the late miniſters who had approved of that meaſure, they were not without plauſible grounds, for preſuming upon their ability to perform their

[31] From the examination of the accounts, which run back to March 1689, great abuſes were brought to light in the management of the revenue in Scotland. See Records of the Scottiſh Parliament, 1704, p. 56. 61. 66. 68. 69.

Some facts, which occurred with reſpect to the deficiency of the revenue, ariſing from the inland exciſe, are particularly worthy of notice, becauſe they exhibit, in the moſt ſtriking view, the miſerable condition of Scotland, occaſioned by the preceding years of famine.

[32] Sir J. Clerk's MSS.

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engagements. They might have been inſtructed by their own experience, as well as the uniform teſtimony of hiſtory, that, of all events in expectation, none are more precarious than thoſe which depend upon the ſteadineſs and honour of party men. The friends of the duke of Queenſberry, though profeſſedly attached to the Hanoverian ſucceſſion, were no ſooner out of place than they concurred with the Jacobites and the country party, to thwart a meaſure which was likely to redound to the praiſe of their antagoniſts[33]; and thus the Squadrone were mortified by being left in a minority, and the court diſappointed of the benefits which it expected from having placed them in the adminiſtration. In judging of political affairs, the ideas of ill ſucceſs and miſconduct are invariably aſſociated. In proportion to the diſſatisfaction, expreſſed by every party in England on account of the late meaſures in Scotland, was the odium now affixed to thoſe who had prompted her majeſty to adopt them, under the raſh aſſurance of correcting them by after expedients, which could not now be accompliſhed. Though the ferment of the people, and the caprice of faction, might appear the true cauſes of thoſe miſcarriages, which were imputed to the preſumption or imbecility of the ruling party; yet it certainly would have been impolitic in the court to have continued their authority at a criſis, that required an adminiſtration poſſeſſing every advantage of talents, popularity, and influence. From a regard to theſe qualifications, the duke of Queenſberry, and the duke of Argyle, were now ſelected to ſuperintend the management of Scottiſh affairs during the next ſeſſion of parliament; the former being appointed to the office of privy ſeal, and the latter to that of lord high commiſſioner[34].

[33] Ker, vol. i. p. 24. Anſwer to the Account of the Election in North Britain, and the Conduct of the late Miniſtry, p. 10. Lond. 1708. The duke of Queenſberry did not attend parliament this ſeſſion; but his friends, headed by the earl of Mar, entered the liſts of oppoſition. The duke was, at this time, diſguſted with the Engliſh miniſters, not only for their having diſplaced him after faithful and dangerous ſervices; but on account of their demurring about the payment of a conſiderable debt due to him by the Engliſh treaſury. Oldmixon, vol. ii. p. 154. Cunningham, vol. i. p. 415. Lockhart, p. 140. Sir J. Clerk's MSS.

[34] Life of Argyle, p. 89. Lond. 1745.

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None of the Scottiſh nobility, either on account of hereditary influence, or perſonal talents, were better qualified to ſoothe and compoſe the preſent turbulent ſpirit of their countrymen. The duke of Queenſberry had imbibed the principles of the Whigs from early education, and the example of his father, who had acted as high commiſſioner in the firſt parliament of king James, but ſoon became diſguſted by the arbitrary proceedings of that prince, and retired from court. The preſent duke commanded a regiment of horſe at the revolution, and, together with the duke of Ormond, joined the prince of Orange, who, in acknowledgment of his ſervices, made him one of the lords of the bedchamber, and captain of the Scots troop of guards. He was afterwards promoted to the garter, appointed ſecretary of ſtate for Scotland, and repreſented the royal perſon in the laſt ſeſſion of parliament, during the reign of king William, and the two firſt of the preſent reign. He was endowed with a ſound underſtanding, and a peculiar talent for gaining partiſans; and, though he had many political enemies, poſſeſſed as great a ſhare of eſteem and popularity as any of his contemporaries in public character. He had acquired great experience in buſineſs, and an intimate knowledge of the characters of the leading men in Scotland; and, though he occaſionally complied with their prejudices in matters of inferior conſequence, yet he diſcovered great firmneſs and intrepidity in proſecution of important meaſures [35].

John, duke of Argyle, ſucceeded to the title and eſtate of his father in September 1703; and, though he was now only in the 27th year of his age, the antiquity of his family, and his perſonal talents, raiſed him to the ſummit of political influence in his native country [36]. To that fire of eloquence, which flows from an original boldneſs of

[35] Defoe, p. 236. 365, 366. Sir J. Clerk's MSS on Lockhart, p. 229.

[36] He was great grandſon to the marquis of Argyle, beheaded at the reformation, grandſon to the earl beheaded by king James, and ſon to the earl who came over with the prince of Orange, and was afterwards made a duke. It was ſuppoſed that he could bring eight thouſand armed men into the field, and he had the power of criminal juriſdiction upon his own eſtate, independent on the ſovereign. See Commiſſion of Juſticiary granted by her Majeſty, 25th June 1702. Minutes of Privy Council, MSS.

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conception, and ſubdues the heart, he added elegance and fluency of expreſſion, and a ſingular gracefulneſs of delivery which charmed the ſenſes of the hearers. Great quickneſs of apprehenſion, and ſolidity of judgment, counterbalanced the deficiency of application. An openneſs of temper, and ardour of enterpriſe, at his firſt outſet in the world, obtained the praiſe of diſintereſtedneſs and patriotiſm, which were not uniformly ſupported by the tenor of his future conduct; for he was ambitious, and fond of money; and the fury of his reſentment againſt thoſe who obſtructed his preferment and intereſt precipitated him into uncommon exceſs of political inconſiſtency, and indecorum of conduct. While the renown of his family and the extent of his property placed him at the head of the highland chieftains, his paſſion for military glory, his bravery, and early ſucceſs in the field, procured to him a high degree of influence in the Britiſh army. The popularity which he derived from his progenitors, who had been martyrs for the cauſe of liberty and religion, above all his other qualifications, recommended the duke of Argyle, at this time, as the fitteſt inſtrument for managing the Preſbyterian intereſt, and accompliſhing the ſettlement of the crown agreeably to the deſtination of the Engliſh parliament.

Although the more diſcerning Preſbyterians could not be ignorant how much the ſecurity of their favourite religion depended upon the adoption of the proteſtant ſettlement; yet the calamities of Scotland, imputed to its connexion with England, had irritated their ſpirits, and often divided their leaders, in the diſcuſſion of thoſe queſtions which involved any competition between the ſucceſſion and the abolition of Engliſh influence. But, if theſe objects, both of which were ſo dear to them, could be reconciled, it was taken for granted, that the unbroken force of the Preſbyterian intereſt would be exerted, and effectual for eſtabliſhing the proteſtant ſucceſſion.

From her majeſty's choice of the duke of Argyle to preſide in parliament, and from the nature of the inſtructions he received, there was now a fair proſpect of removing thoſe jealouſies and diſcontents,

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which tended every day, more and more, to the disjunction of the neighbouring kingdoms. As the clergy of the eſtabliſhment poſſeſſed, at this period, a great ſway over the ſentiments of the people, her majeſty, in her letter to the general aſſembly of the church which met on the 29th March 1705, expreſſed her great alarm for the proteſtant intereſt, and her earneſt deſire of having the crown of Scotland entailed on the Houſe of Hanover. The favourable reception of her majeſty's letter, and the fervent antipathy with which this aſſembly declared againſt a popiſh ſucceſſor, were conſidered as an auſpicious prelude to the buſineſs to be diſcuſſed in the approaching meeting of parliament [37].

The third ſeſſion of parliament commenced, under the duke of Argyle, on the 28th June 1705. The ſettlement of the ſucceſſion was again recommended before all other buſineſs, from her majeſty's conviction of its growing neceſſity. She renewed her aſſurances of conſenting to whatever proviſions and limitations ſhould be thought neceſſary for removing objections to that meaſure. The importance of the union, next to the ſucceſſion, was ſuggeſted, as the moſt effectual meaſure for compoſing all differences, and extinguiſhing thoſe heats which were fomented by the enemies of both kingdoms; and, for theſe ends, ſhe earneſtly recommended the paſſing of an act, as England had done, for a commiſſion to ſet a treaty on foot between the two kingdoms. The ſupplies, as uſual, were ſolicited for the purpoſes ſpecified in the royal letter.

The commiſſioner, in his addreſs to the ſtates, recommended the order of buſineſs marked out in the royal letter; namely, in the firſt place, the ſettling of the ſucceſſion in the proteſtant line; and in the ſecond, a treaty with England [38]. Although the management of affairs in Scotland had been committed, by the Engliſh miniſters, to the fitteſt perſons for allaying the ferment and diſorder with which

[37] Anſwer of the General Aſſembly of the Church of Scotland to her Majeſty's Letter, 29th March 1705.

[38] Records of the Scotch Parliament, July 1705.

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it was disturbed; yet, for the attainment of this object, they were, after all, more indebted to the disjointed state of opposition, and to the redundancy, incoherence, and extravagance of its plans, than to any diminution in the number or acrimony of its votaries. Its principal leaders and promoters were not united by a precise and definitive system of principles, or by any pre-concerted scheme of public proceedings. They often met together on the spot of deliberation, without knowing the grounds which they were to take, either in thwarting the measures of the court, or in promoting the great objects of national interest which they all professed to pursue. The variety of overtures, introduced by the heads of different factions for obtaining the same ends, prevented their being brought to a final conclusion, by distracting the attention, and dividing the opinion of their adherents. The English ministers had occasionally besieged the virtue, experienced the frailty, and availed itself of the services of individuals of every party; and from the consciousness, which too many of them felt, of not being themselves untainted with the corrupt influence which they publicly arraigned, contempt and jealousy of each other marred that reciprocal confidence which alone can secure perseverance and fidelity in the prosecution of great designs. If there were a few, whose steady and disinterested patriotism raised them above every suspicion of selfishness; yet the enlargement of their views, far transcending the apprehension of their associates, and that pride of integrity, which disdains the condescension and obsequiousness necessary to gain the support of vulgar minds, rendered their influence unequal to the purity of their motives, and the generosity of their efforts. Hence the force of the party in opposition in the Scottish parliament was not proportioned to the numbers of which it was composed, or the rank and influence of the persons who directed it. Sufficient to perplex and traverse the measures of government, it wanted compactness and energy necessary to digest and confirm plans of patriotic reformation and substantial utility. Overtures for ascertaining the limitations of government; for the reformation of abuses;

for

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for conſidering the ſtate of the coin [39], commerce, and the circumſtances of the nation relative to England, and draughts of various beneficial acts were all depending at the ſame period; but the time of the houſe was principally conſumed in long and angry debates, about the order and arrangement in which theſe ſhould be diſpoſed of. A month of the ſeſſion elapſed before the ſtates could come to any agreement upon the anſwer to the queen's letter. The pique and reſentment of individuals, as well as the remaining jealouſies which the different factions, united in oppoſition to the court, entertained of each other, often interfered with the public cauſe; and retarded particular meaſures which were conſidered as eſſential parts of the patriotic ſyſtem [40].

The re-inſtatement of the duke of Queenſberry in the miniſtry awakened the reſentment of ſome members of the ſtates, who were envious and angry, becauſe he had ſo long enjoyed the favour of the court; and of others, on account of injuries ſuſtained by them, and imputed to the officious part he had taken in the buſineſs of the plot. The laſt of theſe was the baſis, upon which, it was moſt likely, that the perſonal attacks againſt the duke would be founded; and as the miniſters were exceedingly anxious to prevent the moving of that buſineſs [41], the duke himſelf remained in London for ſeveral weeks after the meeting of the ſeſſion; expecting, that the courſe of meaſures, previouſly adopted, would exclude the conſideration of the plot [42]. But no ſooner had he returned to Edinburgh, than an

[39] The ſum total of the current gold and ſilver in Scotland, at this time, is eſtimated by ſir J. Clerk at one million ſterling at leaſt. Sir J. Clerk's MSS.

Mr. John Law, at this period, diſplayed the firſt ſymptoms of that projecting genius which afterwards raiſed his name to diſtinction, and rendered him the inſtrument of convulſing a mighty empire. He was the ſon of a goldſmith in Edinburgh, and diſcovering early talents and ingenuity, was patroniſed by the great men of different parties. He gave in a plauſible ſcheme to the parliament for ſupplying the national money by a proper credit; and a motion was made for adopting it, but was rejected. Lockhart, p. 144. Sir J. Clerk's MSS.

[40] Records of Parliament, paſſim.

[41] "You are to endeavour to prevent the "reviving of former queſtions and debates "among yourſelves about the late plot and "the proceedings thereupon as much as poſ-"ſible." Her Majeſty's Inſtructions to the Duke of Argyle, Windſor-caſtle, 18th of June 1705. Paper Office.

[42] Lockhart, p. 141.

inquiry

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inquiry into that affair was urged by the duke of Hamilton and the duke of Athole, who recurred to the ſtale aſſertion of the plot being fictitious, and intended to bring diſgrace on the independent friends of their country. As their laſt reſource to prevent any effectual procedure in this buſineſs, ſhould they not ſucceed in quaſhing it altogether, the miniſters had uſed the precaution of withholding the principal papers which had been ſolicited by the laſt ſeſſion, as the ground of the intended examination. This diſappointment gave a new edge to the acrimony of the duke of Queenſberry's antagoniſts; and, in order to rouſe the indignation of the cavaliers who did not ſecond their views with the expected alacrity, they produced copies of ſome of the duke's letters to the queen, in which he had accuſed that party indiſcriminately as enemies to her majeſty [43].

The two great ſubjects, recommended to the deliberation of the ſtates, were, as we have ſeen, the ſettlement of the ſucceſſion, and the treaty of union. To pave the way for the former, which the miniſters were deſirous to prefer, as an immediate antidote againſt the evils dreaded from the act of ſecurity, various regulations were propoſed for limiting the power of the ſucceſſor, extending the trade, and ſecuring the future independence of Scotland [44]. In the midſt of the debates upon theſe topics, the queſtion for the treaty of union was unexpectedly moved; and, to the aſtoniſhment of the miniſters, aſſigned, by a majority of votes, to an earlier diſcuſſion than that of the ſettlement of the ſucceſſion. A variety of circumſtances and motives conſpired to produce this unlooked-for and ſudden reſolution with reſpect to the arrangement of the public buſineſs. Some, who had been uniformly againſt the court, were induced, merely from caprice and contention, to invert the order of procedure preſcribed by it. Others were afraid of that tedioufneſs and perplexity

[43] Lockhart, p. 157, 8, 9. The cavaliers were overawed, and durſt not embark in any ſcheme for inveſtigating the plot, becauſe it might have led to diſcoveries ruinous to themſelves and their connexions. Sir J. Clerk's MSS.

[44] Lockhart, p. 144. 150, 151, 152. Cunningham, vol. i. p. 423.

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which they muſt have encountered, in deciding the queſtions previouſly neceſſary to their entering upon the article of the ſucceſſion; and indeed perceived, from the preſent temper of parties, that there was little probability of theſe queſtions being brought to a concluſion. The cavaliers, and ſome of the country party who were friends to the independence of Scotland, voted for diſpoſing firſt of the queſtion relative to a treaty of union; becauſe, being of a complicated nature, they expected that it would teem with ſuch a multiplicity of difficulties and objections, as were more likely to prevent the ſettlement of the ſucceſſion, involved with it, than if that queſtion had been diſcuſſed in a ſimple and detached form [45]. Impreſſed with the ſame views, the miniſters themſelves did not approve ſo cordially of the propoſed order of buſineſs, as they would have done, had they foreſeen the reſult of it, which was indeed contrary to the intention of many who voted for the motion. Happy it certainly was for both kingdoms, that the queſtion of the union preceded that of the ſucceſſion; for, if the latter had been adjuſted to the deſire of the parliament of England, the miniſters there would not have found themſelves under the ſame neceſſity of urging the treaty, as they did, when it came to be implicated with the ſettlement of the crown upon a proteſtant ſucceſſor [46]. Nor is it unreaſonable to conclude, from the preſent views and tempers of parties, that, though the proteſtant ſettlement had been adopted, yet, from the conceſſions offered to the ſtates, it would have been clogged with reſtrictions and qualifications, which, far from compoſing and terminating, muſt neceſſarily have fomented and prolonged contentions and jealouſies inimical to the quiet of both kingdoms.

[45] Lockhart, p. 161, 2. "The true deſign "of all this was to defeat the ſucceſſion on any "terms. So the cavaliers projected; but "others joined with them in order to pro- "mote the union." Sir J. Clerk's MSS. on Lockhart, p. 146.

"The reſolve which the cavaliers had car- "ried for a treaty, previous to the ſettlement "of the ſucceſſion, was a mere ſham." Id. p. 162. After ſettling the order of buſineſs, an act paſſed for ſeven months ceſs, 21ſt September. (£. 42,000.)

[46] "If the ſucceſſion had been ſettled, there "would not have been a word of the union." Sir J. Clerk's MSS. on Lockhart, p. 120.

After

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After the queſtion for going into the diſcuſſion of the union was agreed to, a variety of motions were introduced to defeat its ultimate ſucceſs. Some of them were repugnant to the ſpirit and plan of an incorporating union; and, had they been adopted, inſtead of cementing the affections of a divided people, they would have opened new ſources of animoſity and conteſt between the inhabitants of North and South Britain. Others tended to circumſcribe, or to preclude altogether, thoſe beneficial conditions which Scotland afterwards obtained from the generoſity of the more proſperous kingdom.

In the courſe of theſe debates, there was not any member of the convention who ſeemed more determined to oppoſe the miniſters in every point than the duke of Hamilton; and he had been the mover of ſeveral propoſitions intended to overturn the treaty; and yet, to the ſurpriſe and mortification of his adherents, he propoſed to refer the nomination of the Scottiſh commiſſioners entirely to the queen [47]. The ſtrange inconſiſtency of the duke's conduct, upon this occaſion, was not inferred, barely, from the general ſcope of thoſe meaſures which he had eſpouſed in every preceding debate, but from his having been at pains to inculcate, both publicly and privately, the impropriety and danger of that which he now ſuggeſted; nor was it poſſible to avoid the ſuſpicion of his being guilty of deliberate treachery, when it was obſerved that he made this motion at a late hour in the night, after many of his own friends, who would have oppoſed it, had withdrawn under the perſuaſion that the parliament was not then to proceed any farther in buſineſs [48].

1ſt Sept.

Upon

[47] This was a point about which the court was particularly anxious. In the inſtructions of her majeſty to the duke of Argyle, are the following words: "You are to endeavour, "that the nomination of the commiſſioners "for the ſaid treaty, with the appointment of "time and place, be left to us, as is done by "the parliament of England."

"If the parliament ſhall not agree to leave "to us the foreſaid nomination, you are to "be careful, that in the ſaid nomination to be "made by the parliament, all our officers of "ſtate, miniſters, and others, having ſpecial "dependence upon us, go the ſame way, and "concur in the ſame nomination." Her Majeſty's Inſtructions to the Duke of Argyle, &c. Articles 6th and 7th, Paper Office.

[48] Lockhart, p. 170. Upon the duke of Hamilton's making this motion, ſeveral of the members ran out of the houſe in rage and deſpair,

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Upon a review of the hiſtory of the laſt Scottiſh parliament, it will be admitted; that the perſons who took a warm part in oppoſition,

deſpair, ſaying aloud, "that it was to no purpoſe to ſtay any longer, ſince the duke of Hamilton had ſo baſely betrayed them." The motion was carried by a plurality of eight voices. Lockhart, p. 170. The duke, in vindication of his conduct, pretended that it was better for the queen to name the commiſſioners, becauſe, if the parliament did not approve of their meaſures, it could take them to taſk more ſeverely than as if it had named them. Sir J. Clerk ſays, that the duke's grand motive was, his expecting to be appointed one of the commiſſioners, but that the Engliſh miniſtry would by no means conſent to it. Sir J. Clerk's MSS. on Lockhart, p. 171. 176.

The author of the Tranſactions during the Reign of Queen Anne imputes the myſterious and apparently diſingenuous conduct of the duke of Hamilton, and indeed the whole ſucceſs of the treaty, to an incident before unknown, namely, his having received a letter from lord Middleton, beſeeching his grace, in behalf of his maſter, "to forbear giving any "farther oppoſition to the union, as he had it "extremely at heart to give his ſiſter this "proof of his ready compliance with her "wiſhes; not doubting but he would one day "have it in his power to reſtore to Scotland "its ancient weight and independence." The letter concluded with recommending profound ſecrecy in this buſineſs, as a diſcovery might materially prejudice their intereſt both in England and Scotland. Hamilton's Tranſactions, p. 41, &c.

1ſt, It is difficult to conceive how the court of St. Germain's could be perſuaded to recommend a meaſure which ſtipulated for the ſucceſſion of the proteſtant heir, and created a legal barrier againſt the hopes of James. Stuart Papers, paſſim.

2dly, The court of St. Germain's poſitively inſtructed their agents to oppoſe the Hanoverian ſucceſſion, and the project of the union, *as a trick to delude and engage them to perpetuate uſurpation;* and afterwards expreſſed the utmoſt regret and aſtoniſhment at its paſſing, which they conſidered to be a proof of the treachery of Marlborough and Godolphin. Inſtructions to Captain James Murray. Stuart Papers, 1703.

3dly, It is ſomewhat extraordinary, that the court of St. Germain's, if it wiſhed the union to paſs, ſhould have made this known, only, to the duke of Hamilton, or that he ſhould have afterwards concealed a fact, the diſcovery of which was ſo important to reſcue his character from the obloquy which he had incurred on account of the apparent inconſiſtency of his conduct during the dependence of the treaty. Nor is it probable, that the court of St. Germain's ſhould have ſelected the duke of Hamilton as its confidential friend. Although, from his early profeſſions and high rank, it was neceſſary to hold fair language with him, yet it appears that James had little reliance on his ſteadineſs and fidelity. The duke himſelf was ſo ſenſible of this, that he urged it as a reaſon for his backwardneſs to interfere in the buſineſs of the Stuart family, when colonel Hooke was ſent to Scotland. Hooke's Negociations, p. 19, 20.

4thly, The author of the Tranſactions has furniſhed us with an argument that militates againſt the fact alluded to. The duke of Hamilton, in a letter to his ſon at St. Germain's, 7th March 1707, ſays, "Tell my lord Mid-"dleton not to be uneaſy about his letter. I "have been too ſick to anſwer it, but I have "burnt it, with other papers, for fear of ac-"cident; ſo that this ſecret would have gone "down to the grave with me." Hamilton's Tranſactions, p. 44. in the Note.

If this be the letter to which the author refers, as containing inſtructions to the duke of Hamilton to promote the union, which the reader is naturally led to conclude, how came Mr. Hamilton to know that it contained ſuch inſtructions, ſince the duke burnt it for fear of accident? The accounts, which he has received of its contents, muſt reſt upon tradition, an unſound baſis of credit. If he refers to other letters, as the ſubject was new and extraordinary, he ought to have produced them.

were influenced by oppoſite motives and intentions; and that a very different eſtimation ought to be formed of their virtues and merits. To men of a contracted underſtanding, peculiarly ſuſceptible of local prejudices, the ſubjects under diſcuſſion preſented an opportunity, from which they could not abſtain, of venting a baſe and envious rancour againſt a nation equally entitled to the claim of ancient independence, and, in ſtrength and proſperity, far ſuperior to their own. The contentious oppoſition of others, excluded from office and conſultation, was excited by ſelfiſh competitions, which engroſs the breaſts of factious men, and overpower the dictates of reaſon and generoſity. The moſt ſincere and conſiſtent opponents of every ſtep towards a reconciliation with England, were the partiſans of the houſe of Stuart, or thoſe who wiſhed for the ſucceſſion of the ſon of James, an event more likely to happen if a legal diſjunction between the two kingdoms had now taken place. The combination of ignorance, malignity, and Jacobitiſm, could not have been ſo formidable, nor ſo ſucceſsful in meeting with popular applauſe, had it not been ſeconded by the efforts of men of a very different character, whoſe talents and integrity gave weight to their opinions, and have conſecrated their memories to the veneration of poſterity. Fired by a true love for their country, and pierced with a deep ſenſe of the oppreſſion ſhe had endured under the domination of delegated rulers ever ſince the junction of the crowns, they were perſuaded, that it was impoſſible for her to reſume independence and freedom without a complete diſſolution of all the political ties ſubſiſting between the two kingdoms. Others did not deſpair of reconciling the intereſt of Scotland with an incorporating union; but, under the vehement impulſe of a predilection for their native country, they were prompted to exceed in their demands of reparation for the paſt, and of ſecurities againſt future injuries [49]. Of this deſcription, there was not any perſon more diſtinguiſhed than Mr. Fletcher of

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[49] Sir J. Clerk's MSS. paſſim.

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Salton, whoſe comprehenſive views, enforced by the moſt nervous eloquence, and purſued with undaunted firmneſs, exalt him to a high rank in the liſt of names which do honour to human nature. From error and inconſiſtency, the moſt wiſe and virtuous are not entirely exempted; and the fondeſt admirers of Mr. Fletcher muſt candidly acknowledge, that many of his projects of reform ſprung from enthuſiaſm, rather than from the dictates of experience; and that his refined theories concerning government were not only incompatible with the ſentiments and manners of the age in which he lived, but impracticable under the prejudices and infirmities of human ſociety, in every form and condition, in which it has been exhibited in the records of hiſtory [50].

[50] "Mr. Fletcher's ſchemes had but very "little credit, becauſe he himſelf was often "for changing them; though, in other re- "ſpects, a very worthy man. It uſed to be "ſaid of him, that it would be eaſy to hang "him by his own ſchemes of government; "for, if they had taken place, he would have "been the firſt man that would have at- "tempted an alteration." Sir J. Clerk's MSS. on Lockhart, p. 71. 156. A ſtriking inſtance of Mr. Fletcher's deviation from the principles which he profeſſed as a friend to liberty, occurs in his printed eſſays. He imputes the miſeries of the lower ranks, in modern times, to the abolition of ſlavery, and thinks their condition would be improved by re-eſtabliſhing it. The emancipation of the lower ranks, however, he juſtly aſcribes to the benevolent zeal of the firſt Chriſtian preachers. Fletcher's Political Works, p. 84. Glaſgow, 1749.

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General Diſcontent of the Scots upon paſſing the Act for treating of an Union with England.—Circumſtances unfavourable to the Treaty—The inveterate Rancour which ſubſiſted between the two Nations—Bigotry of the Scots, and a Jealouſy on account of their Religion—Apprehenſions of increaſed Taxation—Subverſion of the Privileges of the Nobility—Freeholders—Burghs.—Events favourable to the Union—Diſcordant Sentiments and Intereſts of thoſe who oppoſed it.—Addreſs and Management of the Commiſſioner.—The Succeſs of the Allies on the Continent.—The uncommon Severity of the Seaſon.—Diligence and Anxiety of the Whigs in promoting the Treaty.—Liberality of the Terms offered to the Scots.—Feeble Oppoſition of the Tories.—Moderation of the Commiſſion of the General Aſſembly.—Advantages of the Union to Scotland—to England.—Progreſs and Concluſion of the Treaty.—The Parliament of Scotland elects Repreſentatives for the united Parliaments—adopts Regulations for diſpoſing of the Equivalent—is adjourned.—Second Seſſion of the Parliament in England.—Queen's Speech.—Addreſſes.—Supplies.—Eſtate and Titles of the Duke of Marlborough ſettled upon his Deſcendants.—Articles of the Union communicated to both Houſes—agreed to by them.

NO ſooner was it known, that the Scottiſh parliament had conſented to the queen's appointing commiſſioners for treating of an union with England, than diſtruſt and jealouſy began to agitate the public mind. The ingenuity and labour of authors were employed to enforce every topic, calculated to inflame the paſſions, and pervert the opinions of the people. The ſubſtance of the various treatiſes, publiſhed while the union was depending, will be comprehended under a ſurvey of the prejudices, objections, and various means of reſiſtance, which threatened to obſtruct its ſucceſs; and which were happily counteracted by the joint effects of miniſterial influence, the dictates of ſound policy, and fortunate external circumſtances.

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1ſt, The

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1ſt, The bitter and inveterate rancour, which ſubſiſted between the Engliſh and the Scots, rendered it improbable, that the authority of law, or any proſpect of diſtant advantage, could ever produce that amicable correſpondence, which was eſſential to reap the benefit, or even to maintain the external form of an union. As domeſtic quarrels pierce deeper into the heart, and are carried on with ſharper animoſity, than thoſe which take place between perſons, unconnected by any previous ties of blood or intereſt; ſo the moſt implacable antipathies have ever prevailed in bordering ſtates, which a miſtaken view of policy has alienated from each other, contrary to all the conciliatory analogies of lineage, language, manners, and cuſtoms. Society, in ſuch a ſituation, exhibits the darkeſt portraits of human character; the moſt hideous examples of barbarity, and the moſt refined inventions of hoſtile vengeance.

The mutual jealouſies and hatreds, which prevailed at an early period in the contiguous kingdoms of England and Scotland, had been inflamed to the higheſt degree by the arrogant pretenſions of Edward I. to a feudal ſuperiority over the latter, at a period, when it was embroiled by internal diſſentions, and a diſputed ſucceſſion to the crown [1]. While the very mention of a claim, involving the moſt humiliating conſequences, rouſed the indignation of a free and high ſpirited people, the blood and devaſtation, with which it was proſecuted by his ſucceſſors, ſpread ſuch a general horror, and tranſmitted ſuch a deep remembrance of injuries, as could only be extinguiſhed after the lapſe of many ages [2]. The French court, characterized by

[1] Edward I. had formed a project of uniting the crowns of England and Scotland upon fair and honourable terms, by marrying his ſon Edward to the grand daughter of Alexander, king of Scotland, commonly called the Maid of Norway. The terms of union were agreed to between him and the ſtates of Scotland. The young lady died in her voyage home from Norway, and Edward being unwilling to relinquiſh ſo grand an object as the union, had recourſe to violence and treachery to make it effectual. General Hiſtory of Unions in Britain. Defoe.

[2] In the wars between Edward, and Bruce and Baliol, it is calculated that not leſs than ſix hundred thouſand of both nations periſhed. Preface to Defoe's Hiſtory of the Union. General Hiſtory of Unions, p. 46.

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an impertinent interference in the affairs of diſtant ſtates, and by the refinement and ſucceſs of its intrigues, before it had yet aſcended to pre-eminence in the political ſcale of Europe, did not overlook this favourable opportunity for courting the alliance, and fomenting the animoſities of the Scots, ſo hurtful to their common enemies in South Britain [3].

Attending to theſe circumſtances, we are not ſurpriſed at the failure of repeated projects ſet on foot by the court of England, for obtaining the acceſſion of Scotland by matrimonial alliance [4]; nor is it likely, if they had taken place, that they could have produced a cordial and durable coalition between the two countries. Conſidering the acrimony of their prejudices, as well as that national pride, which is always moſt extravagant where the people are indigent and depreſſed, the Scots would not long have maintained allegiance to their ſovereign, placed upon the throne of England by compact or bargain.

[3] The privileges, granted to the Scots by the court of France, were of ancient date; and after the marriage of queen Mary to the dauphin were made equal to thoſe of the natives. See Acts of the 8th Parliament of Queen Mary, No. 65, 6. Scotſmen had often been promoted to high offices in France. Diſcourſe on the Union, p. 151. Edinburgh, 1702.

When an incorporating union between the two kingdoms was propoſed after the acceſſion of James I. March 1704, the immunities of the Scottiſh traders in France were conſidered as ſo advantageous, that various ſchemes were propoſed for bringing the natives of both kingdoms to an equality. Spottiſwood's Hiſtory, p. 481. London, 1651. Although the union, then propoſed, proved abortive, the immunities of the Scots in France were ſo offenſive to their Engliſh neighbours, that when lord Hollis was ſent to negotiate the peace at Breda, April 1667, he was inſtructed to uſe his endeavours with the French ambaſſador, to perſuade that court to withdraw thoſe ancient immunities which were enjoyed by the Scots, to the prejudice of the Engliſh. He ſucceeded in this invidious application, which gave great offence to the Scots. Perſuaſive to the Union, p. 9. 21. Edinburgh, 1702. Reflections on Lord Feverſham's Speech, London, 1704.

[4] Henry VIII. offered his daughter in marriage to James V. of Scotland, and to ſecure the crown of England to them jointly after his own death. He perſevered in the ſame project of uniting the iſland after the birth of his ſon Edward, propoſing that he ſhould eſpouſe Mary the daughter of James. The ſame alliance was purſued by the regencies of the two kingdoms, during the minority of Edward and Mary; but both attempts, that of Henry, and that of the regents, were thwarted by the oppoſition of the French party, and the clergy in Scotland; the former dreading the extinction of their own intereſt, and the latter the eſtabliſhment of the reformed religion, which both Henry and his ſon had embraced. Preface to Defoe, p. 47. Somerſet's Declaration after the Battle of Pinkey; Appendix, p. 715. Declaration of Edward, Diſcourſe on the Union, p. 6. 1702.

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The union of the two crowns was accompliſhed, not in conſequence of any premeditated plan, or by intrigue, or force, but by ſuch a ſeries of incidents as was aſcribed ſolely to the over-ruling hand of providence; while the foreſight and expectation of it gradually prepared the affections of a diſunited people for a peaceable acquieſcence in the event. The vanity of the poorer nation was alſo flattered by giving a ſovereign to the richer and more powerful; while a wonderful coincidence of hereditary claims, all centering in the perſon of the Scottiſh king, not only ſuppreſſed every objection ariſing from the comparative inferiority of his native country, but excited an enthuſiaſm of loyalty, which rendered the Engliſh indulgent to the national partiality of that prince[s]. The antipathies between the two nations ſoon revived, and, together with the pernicious ſyſtem adopted by the houſe of Stuart with reſpect to the government of Scotland, counteracted all future attempts for incorporating the legiſlatures of the two kingdoms. Public events, as well as the meaſures of government, which took place after the revolution, more and more divided their intereſts and affections, till they were brought to the verge of hoſtility when the treaty was opened.

By the multitude, or great body of the people, the idea of an union was held in abhorrence, and conſidered as not leſs diſhonourable for Scotland, than ſubjection to England by force, or conqueſt. All who were ſuſpected of being favourable to it, whatever their former ſervices had been, not only loſt the confidence of the people, but were

[s] It is remarkable, that all the claims of the different competitors for the crown of England, not only thoſe which ſubſiſted from the Conqueſt downwards, but alſo that which was derived from the Saxon monarchs, united in the perſon of James I. Blackſtone's Commentary, b. i. c. 3.

James made an apology for his partiality to his countrymen in a ſpeech to the Engliſh parliament. 1607. "For my liberality," meaning to the Scots, "I have told you of "it heretofore. My three firſt years were "to them as a Chriſtmas: I could not then "be miſerable. Should I have been over-"ſparing to them, they might have thought "Joſeph had forgotten his brethren, or that "the king had been drunk with his new "kingdom. The longer I live, the leſs "cauſe I have to be acquainted with them, "and ſo the leſs cauſe of extraordinary fa-"vour towards them." Strictures on the Union, p. 10. Defoe.

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in danger of becoming victims to their fury[6]. While the treaty was depending, addreſſes were preſented againſt it by ſeveral of the counties, burghs, preſbyteries, and pariſhes. Threatening letters were ſent to the ſervants of the crown; and the members of parliament, who ſupported the inclinations of the court, were inſulted by the mob in the ſtreets of the metropolis[7]. The proclamations, which were iſſued for controlling theſe irregularities, were torn from the places to which they were affixed, and conſigned to the flames under the very eyes of the magiſtrates. Theſe outrages neither could have ariſen to ſuch a height, nor could they have been ſo formidable to government, if the authors of them had not been ſecretly countenanced by perſons of influence, and encouraged with the hope of military ſuccour. The Cameronians, a numerous body in the ſouth, and ſome of the clans in the highlands, were muſtered under experienced officers; and, if their force had been concentrated, might have been an overmatch for the regular troops of the queen[8].

Beſides the obſtructions to the treaty, ariſing from the implacable rancour of the populace, and the probability of their having recourſe to arms, there were ſtrong prejudices, affecting the minds of more enlightened ranks, which rendered them averſe to an incorporating union. That natural pride, which betrays individuals into an overweening eſtimation of perſonal talents and advantages, operates with

[6] Lockhart, paſſim. Letter to a Friend, giving an Account how the Union was received at Edinburgh, 1707. Cunningham, vol. ii. p. 59. Letter from the Duke of Argyle to Lord Somers. Edinburgh, 1706. Hardwicke's Collections, vol. ii. p. 465. Letter of Halifax to Somers. Id. p. 471. Lond. 1778.

[7] Lockhart, paſſim. Clerk's MSS. The convention of the royal burghs preſented an addreſs to the ſtates againſt the union; twenty-four burghs addreſſed ſeparately; twenty did not addreſs. A few of the counties only addreſſed, and in theſe the freeholders were not unanimous.

[8] Lockhart, paſſim. Ker's Memoirs, vol. i. p. 27. The act of ſecurity authorized all the proteſtant heritors and the burghs to provide arms, and to diſcipline and exerciſe their fencible men. Under this cover, the gentlemen, who were averſe to the union, were preparing force to oppoſe it. At the commencement of the treaty, the above clauſe in the act of ſecurity was ſuſpended; and the ſubjects were prohibited from aſſembling upon any pretence during the ſeſſion of parliament. This meaſure reſtrained, in ſome degree, military muſters and tumultuary meetings, but did not altogether put a ſtop to them. Defoe, 281.

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accumulating force upon communities; diſpoſes them to lay the greateſt ſtreſs upon local diſtinctions, and to aſſume an illuſive ſuperiority over other claſſes and aſſociations of their fellow creatures. Where opulence and power, the true cauſes of political pre-eminence, are wanting, they are the more prone to reſort to a fictitious excellence, and to borrow luſtre from the antiquity, the dignity, and the blood of their families[9]. Peculiar circumſtances cheriſhed the abſurd vanity and haughty ſpirit of the nobility and gentry in Scotland; and rendered them jealous of every meaſure which ſeemed to imply ſubordination to the neighbouring kingdom, or to lead to any kind of dependence upon it. The allurements of ſoil and climate had often tempted the rapacious invader to brave the dangers of the ocean, and to diſplace the hereditary poſſeſſors in the ſouthern diſtricts of Britain; and an advanced ſtate of induſtry and commerce, by fair and gentle means, afterward produced the more frequent fluctuation of property there. In Scotland, the ruggedneſs of the country, the ſcantineſs of proviſions, and their perſonal valour, ſecured the inhabitants againſt foreign irruptions, and rendered landed property ſtationary and accumulative. The complexion of the laws, the limitations of manufactures and commerce, and the cuſtomary deference of vaſſals to their ſuperiors, ſtill farther contributed to the permanent tenure of eſtates and honours; ſo that Scotland, before the union, boaſted of a greater number of ancient families than perhaps any other European diſtrict of equal extent. The French

[9] To confirm this obſervation, many paſſages might be cited from pamphlets in oppoſition to the union; which are curious, becauſe characteriſtic of the ſentiments and ſpirit of the times. "Though Scotland muſt "unite as the *leſs conſiderable kingdom*, with "reſpect to trade, wealth, &c. yet it can "never otherwiſe unite, than as the *prefer-* "*able kingdom*, with reſpect to *antiquity*, *ho-* "*nour*, and *dignity of precedency*, according to "the fundamental rules of honour and he- "raldry, every where acknowledged."

"Which points of *dignity* and *honour*, "though, perhaps, they may appear of ſmall "value to an age ſunk in luxury, and degene- "rated into an effeminate eſteem in nothing, "but what puts money in their pockets to "ſupport it, would be acknowledged as of "great ornament, and accounted of a very "high value in the eyes of all the world, if "ever the Scots ſhould come to make ſuch a "conſiderable figure in an independent ſtate, "as undoubtedly they might." Rights and Intereſts of the two Britiſh Monarchies, p. 11. Lond. 1706.

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court, expert in the political graces, had accommodated itſelf to the predominant foibles of its allies, by conferring peculiar honours on the deſcendants of the Scottiſh nobility, and granting valuable commercial immunities to the nation at large[10]. While the remembrance of theſe gave the Scots a bias to a connexion with France, the ridicule with which their vanity was treated by their leſs courtly neighbours; a prevailing diſpoſition to vilify their condition and manners; and the affronts which individuals incurred during their occaſional intercourſe with the Engliſh, ſpread an alarming anticipation of that national depreſſion to which they would be ſubjected by the union. What did it avail them, that the independence of their crown and nation were to be recogniſed, when, from the arrogance of their fellow ſubjects, they might expect to be treated with all the inſolence of uſurped ſuperiority[11]?

The injurious effects of the union, with reſpect to the metropolis, furniſhed a picture of imaginary woe, well calculated to excite the emotions of a vulgar pity, and the remonſtrances of a fantaſtic patriotiſm. The deſertion of a city, venerable for its antiquity and the loftineſs of its edifices, the abolition of that magnificent pageantry which attended the repreſentation of a court, and of that profuſe hoſpitality, which enlivened the metropolis during the meetings of the ſtates, were lamented as ſerious calamities by all thoſe who, from early impreſſions, and an aſſociation not incompatible with an enlightened underſtanding, had attached the ideas of ſenſibility and

[10] Rights and Intereſts of the two Britiſh Monarchies, p. 5. Collection of Treaties between France and Scotland.

[11] Defoe, p. 226. Several pamphlets were publiſhed in England at this time to prove the feudal ſuperiority of the Engliſh monarchy over Scotland; and the favourable reception, which they generally met with, gave great offence to the Scots.

Mr. Anderſon and Mr. Hodges, who had written in defence of the independence of Scotland, were thanked by the Scottiſh parliament, and received each of them a preſent of four thouſand, eight hundred pounds Scots (£. 400.) for their patriotic labours. Records of the Scotch Parliament, 10th Auguſt 1705. Atwood's Superiority of England over Scotland, and the Scots Patriot unmaſked, were voted ſcurrilous, and burnt by the hands of the common hangman. Idem.

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affection to external objects, which flattered their vanity, and contributed to their pleasure and emolument [12].

2dly, The religious prejudices of the Scots suggested uneasy apprehensions about the consequences of an incorporating union. As the fond attachment of the people to the presbyterian forms of worship and government had been a principal cause of defeating former attempts for uniting them to England, so it was now wrought upon as the fittest instrument, not only for inflaming the passions of those who were already prejudiced against the present scheme of union, but, for restraining the concurrence of others, who were zealous for the protestant succession. After the junction of the two crowns, the court had carried on a constant warfare against the form of religion favoured by the people in Scotland. Although presbytery had obtained the fullest security by the Revolution, the hearts of its votaries were not at ease. The benign interposition of William, for restraining an intolerant spirit, and discountenancing the violence of ecclesiastical proceedings against the episcopalians, was illiberally ascribed to his inherent aversion to the popular religion. The present sovereign had boasted of her warm affection for the church of England; and since her accession, the prelatical clergy had openly officiated in the metropolis of Scotland, with the confident

[12] The commissioner to the parliament was allowed three thousand, five hundred pounds for equipage, and fifty-five pounds per day, for a hundred and twenty days for his table. He used to entertain forty members every day during the session. Inquiry into the Reasonableness and Consequences of the Union, p. 132. Thoughts on the Present State of Affairs, p. 5. 1703.

"To the very children, and most ignorant "people, they had their arguments; such as, "that the honours, the crown of Scotland, "sword and sceptre, should be carried away "to England. The boys and mob were invited to go and see the ancient crown of "Scotland; for that it would soon be carried "away, and they might never see it more." Defoe, p. 227.

The Scottish Parliament was opened with great pomp and formality. The officers of state, nobility, and gentry rode from the palace of Holyrood-house to the parliament house (about a mile); and no expence was spared to render their dress and equipage splendid and magnificent. Many of all ranks resorted from the country to the metropolis, to be spectators of this scene.

expectation

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expectation of her indulgence and her protection. Was it not natural to ſuſpect, that ſhe wiſhed to introduce epiſcopacy there; and that ſhe urged the treaty of union with greater earneſtneſs, on account of its obvious ſubſerviency to that end [13]?

It was well known, that the prejudices of ſeveral of the gentry and nobility in Scotland were upon the ſide of epiſcopacy; and it might be expected, that theſe would be ſtrengthened from their frequent intercourſe with a country where that religion was eſtabliſhed. But, ſuppoſing that the repreſentatives from Scotland ſhould continue faithful to that ſyſtem in which they had been educated, had not the friends of preſbytery full cauſe of alarm, on account of the great majority, in the united parliament, who were of a different perſuaſion; and, above all, from the immenſe influence of the Engliſh hierarchy, of whoſe pernicious counſels their fathers had experienced the moſt direful effects [14]?

Without any reſpect to diſtant conſequences, the preſbyterians, who conſented to the union, were accuſed of direct apoſtacy, for violating that diſcriminating and fundamental principle of their religion, which excluded perſons veſted with the clerical character from any interference in affairs of ſtate. Some even repreſented the union as involving the body of the people in the blackeſt tranſgreſſion; and, as if the oaths and vows of the fathers had been entailed upon their children, the latter were held bound, by the national covenants, to wage eternal war with prelacy [15]. Not content with a negative breach of theſe ſolemn obligations, by a lukewarm inactivity, they were now about to recogniſe an heretical authority, which would quickly ſubvert their own religious eſtabliſhment. The purity of the doctrines, maintained by the preſbyterians, the perfection of their eccleſiaſtical conſtitution, and the ſtrictneſs of their diſcipline,

[13] Conſiderations on an Union between the two Kingdoms, p. 87. Hiſtorical Account of the Grievances in Scotland, p. 8, 9. Advantages of the Act of Security, p. 10. 1706.

[14] Conſiderations, p. 42, 3. Diſcourſe on the Union, p. 84. Teſtamentary Duty of the Parliament of Scotland, p. 11. Addreſs of the Preſbytery of Hamilton.

[15] Idem.

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were contraſted with the corruption and laxity of the church of England; and its members were calumniated and charged with groſs iniquity, on account of errors which, admitting them to be ſuch, were merely of a ſpeculative nature. To form a more intimate connexion with them was compared to the infatuation of intruding into the habitations of peſtilence; and running headlong upon thoſe tremendous judgments which were ready to fall upon the head of an impious and profligate nation [16].

3dly, The increaſe of taxes, and the ruin of trade, were urged as objections to the union. A decreaſe in the value of the landed property, a reduction of the ſcanty recompence allotted to the labourer, and the depopulation of the country, were repreſented as the certain conſequences of the heavy burdens to which Scotland was to be ſubjected by a partnerſhip with England. In the long liſt of taxes impoſed in that country, it was eaſy to cull out a few, exceptionable and odious, from their ſtriking againſt the habits and intereſts of particular orders of men. The Scottiſh gentry would be compelled to drink claret, adulterated by Engliſh vintners, at more than double the price now paid for what was pure and genuine: the common people muſt forego the wholeſome beverage of ale and beer, raiſed above their ability to purchaſe it, by an exorbitant tax upon malt. The duty upon ſalt, affecting the neceſſaries of life, would be an intolerable grievance to the poor [17].

The ſeveral cuſtoms and impoſts upon goods were eſtimated at the higheſt rate, without attending to the compenſation which the Scottiſh merchants were to draw from the multiplied channels of commerce [18]. Great pains were taken to repreſent the proſpects of commercial advantage, from the proffered bounty of England, as precarious and deluſive. But what was, above all, prepoſterous in this

[16] Rights and Intereſts. Treatiſe iii. p. 49. 52.

[17] Id. Treatiſe i. p. 26, 27. Lockhart, p. 269. Defoe, 221. 424—7.

[18] Advantages of the Union, p. 14, 15. Edin. 1706. Eſſay iv. for removing Prejudices againſt the Union, p. 33—6. 38—40. Eſſay v. p. 28. Letter concerning the Conſequences of an Incorporating Union. 1706.

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ſtrain of argument, though the adventure of Darien had proved ruinous, yet the privileges of the company were ſtill held up as a real and ſubſtantial property, which was now to be extorted from them, as a condition of their being admitted to ſhare in the trade of England [19].

The reſort of the nobility and gentry to the ſeat of government, reſiding, making purchaſes, and educating their children in England; and the conſumption of Engliſh manufactures, growing faſhionable from the example of the great, were repreſented as ſo many drains of money, which would counterbalance all the advantages, accruing from a participation in the commerce of the richer kingdom, and involve Scotland in bankruptcy and depopulation [20].

4thly, When the terms, relative to the limited number of peers and commons to be admitted into the parliament of Britain, were made known, the union was oppoſed as a violent infringement of the immunities of individuals and corporate bodies.

The nobility of Scotland, which, for antiquity, yielded to none in Europe, were to be degraded, and ſtript of prerogatives rooted in their blood, and unalienable from their titles. Of that numerous body, only ſixteen were to be admitted into the united parliament; which, conſidering the ſuperior proportion of the Engliſh nobility, amounted almoſt to an entire extinction of their legiſlative authority. However inconſiderable the advantages of ſuch a contracted repreſentation, yet, it was to be apprehended, that the competition for it might prove the ſource of endleſs ſtrife and envy among the noble families of Scotland. The favourites of the court would ever obtain the preference, and, by improving the opportunities of their ſtation, might come to be eſtabliſhed in a conſtant ſuperiority over ſuch as had formerly ſtood on the ſame level of rank and intereſt. The elected peers would thus monopolize all power and emolument,

[19] State of the Controverſy, p. 21. 1706. Rights and Intereſts. Treatiſe i. p. 60.

[20] Id. p. 33. Treatiſe iii. p. 33. Inquiry into the Reaſonableneſs of the Union, p. 131.

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while the reſt would ſink into inſignificance; and find themſelves incumbered with empty titles, only ſerving to remind them of the ſubſtantial privileges which they had ignominiouſly reſigned [21].

The effect of the treaty in reſtricting the repreſentation of the counties and burghs, was complained of as an unwarrantable ſtretch of parliamentary authority [22]. It was contended, that the united conſent of the peers and repreſentatives of the commons, was incompetent to aboliſh privileges, which affected the intereſt of the nation at large, and that of future generations. The lords might abandon or curtail privileges which centered merely in their own perſons, but they certainly could not alienate, nor abrogate, the rights of their poſterity, which, deſcending from their remote anceſtors, were interwoven into the ſovereignty of the nation. Nor was the application of this argument to the repreſentative body leſs obvious and forcible. The repreſentative body could not admit of any abridgment, without trenching upon the rights of the elective; it could not deſtroy that conſtitution which was the baſis of its own exiſtence; or renounce and transfer the inherent prerogatives of its conſtituents [23].

Waving every objection to the authority of the ſtates with reſpect to the point now mentioned, the unequal repreſentation, allotted to Scotland, was too glaring to eſcape the notice of any perſon who felt for the honour and independence of his native country. The Scottiſh legiſlature was firſt to be diſſolved, and afterwards revived, not in a ſtate of regeneration and improvement, but mutilated, enervated, and bereaved of all independent energy; while that of England was to continue in its priſtine fulneſs and vigour, and without any diminution of its dignity [24]. After this inglorious demiſe, and no leſs inglorious revival, the parliament of Scotland was to obtain ſomewhat leſs than a thirteenth part of the legiſlative authority of

[21] Conſiderations on the Union, p. 77, 8.

[22] Id. p. 50. Rights and Intereſts. Treatiſe iii. p. 21—4. 45.

[23] Diſcourſe on the Union, p. 46. Conſiderations, p. 56, &c. 62, &c. State of the Controverſy, p. 13.

[24] Rights and Intereſts. Treatiſe iii. p. 12.

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the united kingdoms. Conſidering former competitions between the Scots and Engliſh, ariſing from local prejudices and intereſts; and the recent umbrages, ſubſiſting between them, which might long interrupt reciprocal confidence and generoſity, what was to be expected, but that the weaker nation would, in every diſpute, be obliged to ſubmit to the ſtronger; and that, at length, all the rights and privileges of the Scottiſh freeholders would be ſwallowed up in the gulf of a foreign intereſt[25]? In ſuch a ſituation, the repreſentatives from Scotland would be degraded into the condition of an impotent and contemptible minority. Their religion, their laws, and every privilege, reſerved by the treaty, would be ſwept away by the overwhelming torrent of Engliſh influence[26].

A variety of fortunate incidents conſpired, with the diligence of miniſters, and the weight of arguments, to counteract the prejudices and objections now recited; and to bring the treaty of union to perfection, with ſafety and diſpatch, exceeding the hopes of its friends.

1. As parties in general were more disjointed and enervated at this time than they had ever been formerly, ſo neither cordiality of ſentiment, nor rooted confidence, bound together thoſe individuals who were conſidered as the leading opponents to the union. Lord Belhaven, whoſe ſpeeches breathed an ardent ſtrain of patriotiſm, made the leſs impreſſion, becauſe he had been piqued at the court from diſappointment; and lay under a ſtrong ſuſpicion of holding a correſpondence with St. Germain's[27]. The duke of Hamilton, and the duke of Athol, both of them adverſe to the union, were rivals for the confidence of the exiled family, and of its adherents in their own country. Hence mutual jealouſy and ſuſpicion rendered them cautious of making an explicit declaration of their views to each other; or of uniting in a firm or decided proſecution of meaſures,

[25] Conſiderations, p. 54. Diſcourſe on the Union, p. 84. Eſſay upon the Union. London, 1706.

[26] Id. State of the Controverſy, p. 22.

[27] Examinations concerning the Plot, part ii. p. 20. Journals Lords, 17th March 1704.

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which, in the fluctuation of events, might be uſed as the ground of their own crimination [28]. Hence alſo, among the diſaffected members in the ſtates, heſitation and perplexity aroſe, not knowing upon which of their leaders they ought to confide. The caprice, tergiverſation, and myſterious inconſiſtency of the duke of Hamilton, diſheartened and confounded his friends in every ſtage of the treaty, and operated, more powerfully than all the efforts of the miniſtry, to defeat meaſures apparently well concerted for thwarting its ſucceſs [29]. Wearied out with the dilatory, variable, and ſuſpicious conduct of their friends in parliament, the laſt hopes of oppoſition were founded upon domeſtic inſurrections, aſſiſted by the interpoſition of the French king.

2. By a ſingular concurrence of fortunate circumſtances, theſe hopes were alſo diſappointed. The intereſts and deſigns of the members of parliament in oppoſition did not differ more widely from one another, than thoſe objects which were the ultimate aim of the ſeveral military cabals, forming upon the ſame pretence in different parts of the country. Some of the highland chieftains, who had collected a conſiderable number of armed men, not without the connivance of the leaders of oppoſition in parliament, had no other view than keeping the ſucceſſion of the crown of Scotland open for the lineal heir of the houſe of Stuart. The Cameronians, diſtinguiſhed no leſs for their obſtinate bravery, than for their intolerant zeal, were

[28] Lockhart, p. 26. 324. 349. Clerk's MSS.

[29] For the evidence of this account of the duke of Hamilton's conduct, I appeal to uncontroverted facts. See Lockhart, p. 285. 293. paſſim. Cunningham, vol. ii. p. 58—62. Hooke's Negociations, paſſim. Sir J. Clerk referring to Lockhart's account of the duke's eloquent ſpeech againſt an incorporating union, p. 252. obſerves, "This ſpeech in-" deed was very handſomely expreſſed, and " a great many more to the ſame purpoſe; " and yet, in all this, he plaid the mountebank entirely; for, at the ſame time that " he was caballing at the head of the Tory " ſide, he was in ſecret with the duke of " Queenſberry every night, or at leaſt two or " three times in a week." Referring again to Lockhart's account of the offence occaſioned by the duke of Hamilton's not proceeding in a proteſtation againſt the union: " The duke of Hamilton," as I ſaid before, " held private correſpondence with the com-" miſſioner, and was reſolved to do nothing " that might effectually mar the union."

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determined to ſhed the laſt drop of their blood in defence of their religion, betrayed, as they apprehended, by the ſtates, into the hands of its prelatical adverſaries. The oppoſers of the union were too diſcerning not to perceive the neceſſity of reconciling and combining theſe ſcattered bands of inſurgents, in order to enable them to make head againſt the regular force, placed under the miniſterial direction. For this purpoſe, it was concerted, that the Cameronians, in the ſouth, and the Highlanders, in the north, ſhould riſe in arms on the ſame day; that the former ſhould march to Edinburgh, where the latter were to join them, after having ſecured the principal paſſes into the Highlands [30]. The duke of Queenſberry, informed of this approaching danger, more threatening to the union than all the intrigues and harangues of its parliamentary antagoniſts, had recourſe to the only expedient which could have been effectual to prevent it. He was well acquainted with the tumultuary ſpirit of the Cameronians. Any attempt to reſtrain it by argument and expoſtulation muſt have proved fruitleſs. There remained no hope of eſcaping its fury, but by turning it into a different channel, and directing it to another object than that on which it was now bent. The duke entered into a correſpondence with the ringleaders of the inſurgents. He repreſented the imminent danger into which they were running; promiſed great rewards, and even urged patriotic motives for perſuading them to become inſtrumental in promoting the cauſe which they profeſſed to oppoſe [31]. That they might more effectually per-

[30] Lockhart, p. 281. Ker's Memoirs, vol. i. p. 30.

[31] Idem. Ker of Kersfield gives a circumſtantial detail of his having headed the Cameronians, and afterwards betrayed them, by the inſtigation of the duke of Queenſberry. Ker, vol. i. p. 30. Lockhart mentions the fact of the duke of Queenſberry's having engaged ſome of the Cameronian clergy to act as ſpies for the court (p. 281.); but was himſelf ignorant of the treachery of major Cunningham, (p. 279,) who alſo was in concert with the duke of Queenſberry, and put himſelf at the head of the Cameronians in the weſt. Sir J. Clerk, ſpeaking of Cunningham: "I have converſed "with him often, and he acknowledged, that, "after he had plotted with theſe people to "make a rebellion, he fell into remorſe of "conſcience, partly from the wickedneſs, and "partly from the danger of the attempt; and, "from that time, entered into correſpondence "with the duke of Queenſberry. I know "likewiſe that he was employed by the duke "to go among theſe men; and, by pretend-"ing to be their friend, to diſſuade them "from dangerous meaſures." Clerk's MSS. on Lockhart. See alſo Cunningham, vol. ii. p. 62.

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form this ſervice, the duke found it expedient to permit them, not only to connive at the fanatic prejudices of their retainers, but to indulge them in open deeds of riot and violence[32]. By theſe conceſſions, having acquired the confidence, it would be eaſy for their leaders to direct the opinions and operations of the Cameronians; and, particularly, by rouſing their ſuſpicion againſt the cavaliers, to diſſolve that coalition which was ſo much dreaded by the friends of government. All this was performed with wonderful ſucceſs, and the Cameronians, the moſt ſanguinary conſpirators againſt the union, were brought to recoil with horror from an alliance with a party, which, they were made to believe, retained the principles and attachments of thoſe very men who had inbrued their hands in the blood of the martyrs[33]. Some of the Highland bands, who were advancing to Edinburgh to meet with the Cameronians, hearing of their diſperſion, alſo retreated to their homes; and by theſe means one of the moſt threatening obſtructions to which the union had been expoſed was removed[34].

3. If the oppoſers of the treaty were unfortunate in the diſunion of their political and military friends at home, they were alſo diſappointed of that aſſiſtance which they expected from abroad.

Although the French king was reſtrained, by the peace of Ryſwick, from giving open aid to king James, yet the acknowledgment of his ſon, and the war which broke out in the year 1702, inſpired the cavaliers with the confident expectation of his interpoſition in their behalf, as ſoon as it could be employed with any probable view of ſucceſs. Such a proſpect was now preſented by the diſcontents of the people in Scotland on account of the projected union. Theſe were communicated to the agents of Lewis, and it was repre-

[32] Mr. Ker repreſented to the duke of Queenſberry, "that he had conſented to the "Cameronians burning the articles of the "union at the market-croſs of Dumfries; "and that it might be found expedient to "burn the houſes of ſome perſons who had "been inſtrumental in carrying on the union, "in order to keep up the decorum which the "Cameronians expected; but that nevertheleſs "he would order matters ſo as that nothing "was to be feared from this conduct, which "looked very like earneſt." Ker, p. 33, 4.

[33] Ker, p. 35. Lockhart, p. 279.

[34] Idem.

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ſented, that, in the preſent diſtracted ſtate of the country, a ſmall ſupply of men and money would be effectual for ſubverting the government in Scotland; whereas the concluſion of the treaty, which could not otherwiſe be prevented, would preclude all future attempts for retrieving the fortune of the houſe of Stuart [35]. Theſe conſiderations made a greater impreſſion upon the French king than any that had been ſuggeſted ſince the acceſſion of the queen; and he began to entertain ſerious purpoſes of invading Scotland, when the ill ſucceſs of his arms, upon the continent, put a ſtop to the preparations he was making for carrying that deſign into execution. The dreadful loſſes which his armies ſuſtained at Ramillies and Turin, in the courſe of the campaign 1706 [36], rendered Lewis utterly incapable of aſſiſting the Jacobites in Scotland, either with money or troops; and prevented an enterpriſe, which, though it might not have anſwered all the purpoſes for which it was intended, might certainly have retarded, if not entirely fruſtrated the union [37].

Debarred from the expectation of military aid, either domeſtic or foreign, the enemies of the court ſtill hoped to render the treaty abortive, by drawing to the capital thoſe riotous multitudes which were in motion in diſtant parts of the country. Their diſappointment was occaſioned by the immediate hand of Providence: The frowns of nature conſpired, with the misfortunes and treachery of their friends, to rebuke their deſigns; and gave the laſt blow to their expectations. During the whole ſeſſion of parliament, the ſeaſon was uncommonly rainy and tempeſtuous; the roads became dangerous and impracticable, and the country rabbles were prevented from reſorting to the metropolis, with the deſign of overawing the legiſlature, and executing vengeance upon thoſe whom they conſidered as traitors to their country [38].

[35] Middleton's Letter to Torcy, 4th September 1706. Hooke, p. 104.

[36] It was calculated that the French loſt above a hundred thouſand men in the courſe of the campaign 1706.

[37] Oldmixon, vol. ii. p. 172. Stuart Papers, 1705, &c.

[38] Cunningham, vol. ii. p. 58. Lockhart, p. 218.

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4. The anxiety and ardour with which the union was purſued by the whig miniſters, and the ſtate of political affairs which weakened the oppoſition of the tories in the Engliſh parliament, were highly propitious to its ſucceſs. Her majeſty, as has been obſerved, had been prevailed upon to give her conſent to the act of ſecurity, expecting, from this indulgence, to bring the Scottiſh parliament into a good correſpondence with that of England, by adopting the proteſtant ſettlement. When all the efforts of adminiſtration for this purpoſe proved ineffectual; and when at length the queſtion of the ſucceſſion was poſtponed to the union, the hopes of all the friends of the proteſtant intereſt were entirely ſuſpended upon its being brought to a ſpeedy and ſucceſsful iſſue. To this object, therefore, the whole force of court influence, and of the abilities and induſtry of the miniſters, was applied [39]. Every ſtep in this important negotiation was concerted with circumſpection and prudence, and tranſacted with vigour and expedition, which intimidated and confounded its oppoſers. The terms, conceded to Scotland, were liberal and beneficent, and ſuch as could only have been agreed to by parliament, and approved of by the people, at a period, when the aſtoniſhing ſucceſs of the Engliſh arms had diffuſed good humour and benignity among all ranks at home. Scotland was immediately to receive an equivalent for the proportion which ſhe was to bear in the exiſting debt of England. The ſum granted for that purpoſe was to be diſburſed in ſuch a way as would contribute moſt effectually to relieve the general diſtreſs of the nation; and therefore had a powerful effect in appeaſing the diſcontents of individuals, and removing the moſt forcible objections to the union. Nor can it be doubted, that the ſervices of the friends to this important meaſure were ſtimulated, and the oppoſition of its adverſaries reſtrained, by liberal douceurs paid out of the Engliſh treaſury [40].

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[39] Memoirs of Great Men; Article, Godolphin, p. 347. Lond. 1714.

[40] From the report of the commiſſioners of accounts of the Britiſh parliament, March 17th

The epiſcopal form of religion as ſettled in England, and the preſbyterian as ſettled in Scotland, were ſecured by previous acts paſſed by the parliaments of both kingdoms; which excluded the commiſſioners from intermeddling with a ſubject, that had defeated every former attempt for uniting the two nations; and upon which, it would have been impoſſible to have brought them to an agreement.

17th, 1712, it appears that the ſum of twenty thouſand pounds had been lent by her majeſty to the Scottiſh treaſury in the year 1706, while Godolphin was miniſter; and, from the perplexed account given by him in the courſe of his examination, relative to the diſpoſal and repayment of that ſum, there is ſtrong ground for concluding, that it was diſburſed for the purpoſe of influencing and rewarding members who voted for the union. Journals Commons, 2d May 1712. Appendix to Lockhart. Memoirs of Godolphin, p. 266.

But though this fact be admitted, it ought to be obſerved, that the public money was not given for the purpoſe of influence, to ſuch extent, as repreſented by the authors above cited; nor does it imply the criminality imputed to the miniſters, and the ſupporters of the union in Scotland, by their contemporary antagoniſts, and by later hiſtorians, who have not candidly attended to the obſtructions to the treaty which aroſe from foreign powers.

1ſt, As the ſum of twenty thouſand pounds was borrowed by the miniſters in Scotland from the Engliſh treaſury, under the pretext of diſcharging the arrears of official ſalaries, and of penſions; ſo a part of it was actually diſburſed for that purpoſe. The creditors of the ſtate, however favourable to the union, were not culpable for embracing ſuch a fit opportunity to enforce the payment of the debts due to them by the government; and good policy, as well as juſtice, conſtrained the miniſters to make every exertion for gratifying their demands. From the ſtatement of the earl of Glaſgow, exhibited to the commiſſioners of accounts in the year 1711, it appears, that a thouſand pounds of the ſum remitted to Scotland, by the Engliſh treaſury, had been paid to the duke of Athole who was a violent oppoſer of the union. Why may we not ſuppoſe, that the ſums, ſtated to the perſons who voted for it, were upon the ſame ſcore? Their doing ſo, never could be a reaſon for withholding from them any demand to which they were entitled, independent of their votes.

2dly, The perſons, who were active in promoting the union, incurred conſiderable expence in aſſembling and entertaining their dependents, and uſing other means, which cuſtom has eſtabliſhed, and the habits and expectations of the people render neceſſary to facilitate buſineſs of public conſequence. Thus we find, in the liſt of receivers, the names of magiſtrates of burghs, and other perſons, who were in office, or had conſiderable weight in the country. Such were fairly entitled to indemnification out of the funds of government.

3dly, The pecuniary oppoſition which the union encountered from foreign ſtates impoſed upon the miniſters a neceſſity for employing the counteracting influence of the ſame expedient. The Dutch were ſo much alarmed at the union, becauſe it was expected to put an end to their fiſhing on the coaſt of Scotland, that they determined to lay out a conſiderable ſum of money to obſtruct it. This fact is aſſerted by a perſon who was then in Holland, and exerted his utmoſt influence to prevent the Dutch from contracting ſo deep a ſtain upon their honour. Cunningham, vol. ii. p. 61—5. Defoe, p. 482. Letter to a Friend on the Union, p. 7. "France," ſays ſir John Clerk, "was much afraid of the union: there was a "conſtant intercourſe of letters kept up, and "even money remitted from France, which "occaſioned much difficulty in bringing about "the union. MSS. on Lockhart, p. 197.

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The perſons, appointed by the queen to act as commiſſioners for England in the management of the treaty, were diſtinguiſhed for their political knowledge and experience; and firmly attached to whig principles. The ſelection was made in Scotland, with a cautious reſpect to their talents, their principles, and their intereſt in the country[41].

The conduct and ſucceſs of the duke of Queenſberry, her majeſty's commiſſioner to the Scottiſh parliament, while the union was depending, reflected the higheſt honour upon his abilities, and aſcertained the wiſdom of adminiſtration in preferring him to that important truſt. From the commencement of the treaty, he never ſuffered it to pauſe or to languiſh. By great perſonal addreſs, and a peculiar accommodation to the tempers and intereſts of leading men, he either obtained their ſupport, or repreſſed the violence of their oppoſition. He was diligent in procuring intelligence of the meaſures concerted by the adverſaries of the court, in different parts of the country, and prevented them by immediate interpoſition, or turned them to account by dextrous intrigue. He diſcovered uncommon fortitude, by perſevering in the diſcharge of his duty, amidſt the threats and imminent dangers to which he was perſonally expoſed[42].

The ſame circumſtances, which animated the whigs in proſecution of the treaty, cramped the efforts of the Engliſh tories in oppoſing

[41] "In naming the Scotch commiſſioners, "the queen had no regard to equality, as to "the number of noblemen, barons and burghs, "but made the choice as ſhe herſelf thought "fit, or as the duke of Queenſberry and the "duke of Argyle adviſed her; her chief de-"ſign being to name perſons, that would pro-"bably ſtand on what was called a revolution "foot." Sir John Clerk's Journals of the Proceedings of the Scotch Parliament at the Union. MSS. Lockhart of Carnwarth was the only cavalier amoug the Scotch commiſſioners. The duke of Argyle was on ſervice in Flanders, and therefore not named. The celebrated Daniel Defoe was greatly aſſiſting to the commiſſioners: he attended the committees of parliament, and made all the calculations on the ſubject of trade and taxes. He was likewiſe employed in anſwering the publications againſt the union; and his treatiſes on that ſubject greatly contributed to enlighten and impreſs the minds of judicious and candid perſons in both countries. Life of Defoe. Chalmers.

[42] Defoe, paſſim. Carſtare's Letters. Clerk's MSS. paſſim.

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it. The ſuſpicions which the latter had propagated to the diſcredit of the whig miniſters, for having been tardy and reluctant in promoting the Hanoverian ſucceſſion, muſt now have rebounded upon themſelves, if they had ſet their face againſt a treaty, the principal object of which was to ſecure that event. Its political aim they profeſſed to approve of; but inſinuated ſurmiſes of its unfavourable tendency, with reſpect to the intereſt of the eſtabliſhed religion in England, in order to work upon the bigotry and enthuſiaſm of the people[43]. The general anxiety for the proteſtant ſucceſſion, they attempted to divert, by declaiming on the danger of their own national eſtabliſhment. The ill-timed, counterfeit zeal of the tories, not being ſeconded by the voice of the nation, the harangues of their leaders had no influence upon the legiſlature; and their proteſts remain upon record, as a ſpecimen of the illiberality of their principles, and the imbecility of their arguments[44].

5. The prudence and moderation of the miniſters of the church of Scotland, who had a leading authority in the eccleſiaſtical judicatories, may be aſſigned as a principal cauſe of bridling popular violence, and facilitating the progreſs of the treaty.

From the averſion to uniting with England, excited by the religious prejudices of the members of the Scottiſh church, the ſituation of the clergy was, at that time, ſingularly delicate and critical; and their influence, in whatever manner directed, could not fail to be productive of important effects upon the ſtate of the country. If they had appeared indifferent to the conſequences of the union, as affecting their religion; or if they had even diſclaimed any apprehenſions of danger, they would have forfeited the confidence of their congregations, and loſt their uſefulneſs. If, from a timid compliance, they had indulged too far the ſcruples and jealouſies, or ſeditiouſly inflamed the paſſions of the populace, there can be little doubt of their having become ſucceſsful inſtruments in thwarting the plans of

[43] Speeches of Nottingham, Rocheſter, &c. Annals Anne, vol. vi. p. 429.
[44] Journals Lords, February, paſſim.

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government. To tread in the ſtraight path of integrity, and to reconcile their profeſſional duties with their obligations to their country, required no common ſhare of prudence and moderation. To the praiſe of theſe virtues they were fully entitled. They ſcrupulouſly avoided any communication with thoſe perſons who oppoſed the union upon principles different from their own; and who, from motives of reſentment and ambition, wiſhed to make uſe of them as tools for haraſſing the government, and diſturbing the peace of the country. The commiſſion of the general aſſembly, which had received ſpecial inſtructions to attend to the ſafety of the church, and continued to ſit while the union was depending, inſtead of expreſſing any diſtruſt of parliament, or preſuming to dictate to it, preſented a reſpectful addreſs, requeſting its particular attention to the intereſts of the eſtabliſhed church. In compliance with this deſire, the parliament paſſed the act for the ſecurity of the preſbyterian church, which gave entire ſatisfaction to the moſt reſpectable members of the eccleſiaſtical court. Finding, however, that the ſcruples of many of their honeſt brethren were not removed, the commiſſion ſtill continued to make their application to the ſtates, under the form of repreſentation and petition, to provide remedies for thoſe dangers, which the church might incur from certain articles of the treaty complained of[45]. By this temperate conduct, they prevented diviſions among themſelves, and excluded every ground of external of-

[45] Defoe, p. 255, 6. 609. 618. The addreſſes of ſeveral of the preſbyteries to the ſtates, againſt the union, were in a virulent ſtrain, and highly diſreſpectful to government. The miniſters judged it moſt prudent to avoid taking any notice of theſe addreſſes. In the additional inſtructions to the earl of Glaſgow, her majeſty's commiſſioner to the general aſſembly, March 1707, after the union had been agreed to, I find the following words: "You may allow the aſſembly to approve of "the books of the commiſſion of the aſſem- "bly, though they contain the addreſſes made "to the parliament concerning the union, "providing it be not mentioned in the ſaid "approbation, that theſe books of the com- "miſſion contain the addreſſes concerning the "union above mentioned, for which this ſhall "be your warrant." Additional Inſtructions to David Earl of Glaſgow, commiſſioner to the general aſſembly, 22d March 1707. Paper Office. It appears from this document, that the addreſſes of the preſbyteries were conſidered as ſo diſreſpectful to government, that the commiſſioner did not think himſelf ſafe in conniving at them without a ſpecial warrant from the queen for that purpoſe.

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fence or reproach; while they abſtained from making any demands upon the parliament, except ſuch as it could grant without relinquiſhing or endangering the treaty.

6. Among the cauſes which contributed to the ſucceſs of the union, it were an uncandid omiſſion, not to aſcribe ſomewhat to force of argument, and the dictates of a ſagacious and diſintereſted patriotiſm.

The advantages of the meaſure to both the parties were ſo obvious and important, that it was impoſſible they could be overlooked or undervalued by any who were capable of judging without prejudice, or of feeling for the true and permanent intereſt of their country. The union alone could for ever put an end to thoſe internal wars which had formerly occaſioned the deſolation and miſery of both kingdoms, and which might have been renewed with aggravated horrors, if the crowns had been ſeparated [46]. From domeſtic peace and the accumulated force of the two nations, it was eaſily foreſeen, that Great Britain was to derive new ſtrength and reſources, which would render her more ſecure againſt the attacks of rival ſtates; and enable her to riſe in the ſcale of empire. Both nations were to be delivered from the impending evils of a contraverted claim to the regal ſucceſſion, and the fears which aroſe from the danger of the proteſtant religion [47].

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[46] Many marriages had taken place between the inhabitants of both kingdoms, in conſequence of the ſocial intercourſe opened by the union of the crowns, which, in caſe of a rupture by the failure of the treaty, would have created great diſtraction of affection and intereſt.

[47] Both the conſtitution and ſucceſſion in England muſt have been expoſed to the greateſt danger, if the two kingdoms had continued in a ſtate of political diſunion. A cunning and ambitious ſovereign might eaſily have extended his prerogative, by playing the two kingdoms againſt each other. This experiment had actually been made under the reigns of Charles I. and II. The expedient of calling in the Scots had indeed rebounded upon its author, and proved fatal to Charles I. In the reign of his ſon, it approached nearer to ſucceſs; and, had it not been for the loyalty of the Scots, and their firm adherence to the duke of York, who had become popular by reſiding among them, the whigs would have forced the bill of excluſion upon the king. In caſe of any rupture between the contiguous kingdoms, France, and probably Ireland, would have interpoſed on the ſide of Scotland. A number of Scottiſh preſbyterian families, lately

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The preſent condition of Scotland rendered her ſuſceptible of peculiar benefits, from a participation of the trade of England, and the future conſolidation of their legiſlatures. By the union, all the ſources of Engliſh opulence, proſperity, and independence, were thrown open to her. She was to ſhare in every branch of a lucrative, extenſive, and extending commerce; while, by a conſtant intercourſe with her fellow-ſubjects in England, ſhe would quickly attain to more advanced proficiency in agriculture, manufactures, and ſcience [48]. But what above all was valuable, Scotland was to enjoy, in future, what ſhe never experienced before, a free conſtitution, and the vigorous and equal diſpenſation of juſtice [49].

Upon appreciating the benefits of the union to England and to Scotland, ſeverally, there can be little doubt that the balance of profit inclined to the latter; but this did not ariſe from her ſtanding upon more greedy or unreaſonable demands, but merely from the inferiority of her condition, which afforded a wider ſcope

tranſplanted into Ireland, cheriſhed all the prejudices of their countrymen, and would have entered into their quarrel with as much zeal as if they had been on the ſpot. The Roman Catholics would have favoured the lineal heir, who had a ſtrong party in Scotland. Perſuaſive to the Union. Lond. 1702.

[48] The trade of Scotland was very inconſiderable before the union. Her ſhips were all of a light burden, and moſtly employed in bringing wine from France. A ſhort Account of Scotland, p. 21. Lond. 1702.

"The Scots were ſo ſenſible of the benefits "of the union, that, at the time of the rebel- "lion 1715, the pretender was obliged to "alter that part of his proclamation which "promiſed to repeal the union, and to expreſs "his intention of leaving it to the determina- "tion of a free parliament." Clerk's MSS.

[49] In the remoter parts of the country, the ſittings of the courts of juſtice were only occaſional, and at diſtant intervals. It appears, from the houſehold books of rich proprietors on the borders of England, and in the highlands, that ſums of money were allowed, and ſtated in the account books of the ſtewards, for ſuppreſſing thefts, recovering ſtolen cattle, and convicting criminals. Such was the power of criminal aſſociations, that, when the commiſſioners of juſticiary were appointed to hold a diet, in any of theſe ſituations, a military force was appointed, by the privy council, to protect their perſons, and enforce their decrees. Minutes of Privy Council, paſſim.; particularly Warrant and Order by the Privy Council to the Earl of Mar, 19th March 1702.

The privy council interfered with the regular diſpenſation of juſtice, not only by taking cognizance of criminals in the firſt inſtance, and inflicting arbitrary puniſhments; but alſo, in other caſes, by granting reprieves and abſolving atrocious delinquents from the ſentences of the criminal courts; and this miſjudged and unſeaſonable lenity, not leſs than exceſſive ſeverity, contributed to thwart the courſe of juſtice.

for

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for melioration and improvement. Nor was the ſurplus of gain, which was allotted to Scotland, ſubſtracted from the profit of England; but was rather, like redundant ſtock, laid out upon a well digeſted ſcheme, and calculated to open new treaſures of wealth to the perſons embarked in it [50].

The treaty of union was opened at the Cockpit on the 16th April 1706, by the commiſſioners of both kingdoms, appointed by the queen. The ſeveral articles having undergone an elaborate diſcuſſion, were agreed to on the 22d, and preſented to the queen on the 23d July [51]. The treaty was firſt laid before the Scottiſh parliament, where every article was oppoſed by a conſiderable number of the members. Long and violent debates took place; and, upon 3d October,

[50] Strictures on the Union. There can be no doubt that England alſo derived commercial advantages from the union. The fiſheries of Scotland were imparted to her. By the exportation of Britiſh wool from Scotland, before the union, woollen manufactures were eſtabliſhed in Sweden, Holland, and other places abroad, which were running hard in competition with Eugland. Perſuaſive to the Union, p. 15.

The effects of the union, in a moral view, though perhaps leſs obvious, are not leſs important than thoſe of a lucrative nature, and will be reflected upon with the higheſt ſatisfaction by every friend to order and virtue. When we compare the liberality of our own times with that intolerant ſpirit which generally prevailed before the union, and particularly rendered the members of the two national churches bitter againſt each other, we cannot doubt of the union having contributed to this pleaſing reformation of character. The union exhibited a legal example of toleration, by recogniſing the authority, which preſuppoſed the moral fitneſs of different religious eſtabliſhments, and bound their adherents to live in peace and charity with one another. The habitual intercourſe of proteſtants of different communions, in conſequence of the union, has gradually effaced thoſe prejudices, which, for a conſiderable time after, fettered the minds of individuals, and rendered them incapable of reliſhing the generous policy of the legiſlature. But the effect of the union, in ſoftening and meliorating the manners of the united people, is not confined to the particular inſtance now ſpecified. The hoſtile ſtate of England and Scotland generated habits of rancour and ferocity, and produced depredations and crimes, more deſtructive to the proſperity of both communities, than the attacks of their natural and avowed enemies. The truth of this obſervation is particularly corroborated, by the facts which occur in border counties. The outrage and barbarity of our anceſtors, in the adjacent counties to England, often defied and intimidated magiſterial interpoſition, during the reign of the Stuarts in Scotland. After the union of the crowns, and a more regular diſpenſation of juſtice, the number of criminal trials, in the border diſtricts, ſtill exceeded that of the interior country. Since the union of the legiſlatures, they have gradually decreaſed, and the crime of murder ſeldom occurs. During my reſidence for twenty-four years in the town of Jedburgh, where the aſſizes are held, there has been only one trial for murder.

[51] Defoe, p. 113.

every

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every vote, proteſts followed, the ſubſtance of which has been expreſſed in the preceding pages. All objections were at length overruled; and the whole articles of the union were approved of by a majority of the ſtates on the 14th January 1707. On the 22d of the ſame month they were read in the houſe of commons in England, and voted by a great majority. A feeble oppoſition, and debates upon particular articles, followed by proteſts, retarded the progreſs of this buſineſs for a few days in the houſe of lords. On the 4th of March, the treaty of union was agreed to there, and on the 6th, it was ratified by the royal aſſent[52].

After the ratification of the treaty was announced to the States in Scotland by the commiſſioner, they elected their repreſentatives to ſerve in the firſt parliament of Great Britain. After which, certain regulations were adopted for diſpoſing of the equivalent agreeably to the purpoſes of its deſtination. Several private acts were alſo paſſed; and on the 25th of March, the commiſſioner adjourned the parliament of Scotland; which never met again[53].

The parliament of England had been prorogued beyond its uſual time of meeting, in the proſpect of receiving the aſſent of the ſtates in Scotland to the articles of union, concluded by the commiſſioners at the Cockpit. But the debates there running out to a greater length than was expected, and the ſituation of the war requiring a ſpeedy ſupply, the ſecond ſeſſion was opened on 6th December 1706.

Her majeſty expreſſed a devout ſenſe of the glorious ſucceſs that had attended the allied arms in the laſt campaign; and declared her ſteady reſolution of purſuing the advantages ſhe had gained, till ſhe ſhould reap the fruits of them by an honourable peace. Relying upon her parliament for adopting the ſame ſentiments, ſhe ſolicited

[52] Defoe, p. 113. *Appendix*, N° I.

[53] A ſupply of eight months ceſs, amounting to five hundred, ſeventy-ſeven thouſand, ſixty-ſix pounds, four pennies Scots, (£. 48,088 : 16 : 8.) was granted 8th November 1706.

ſupplies

ſupplies to carry on the war in the moſt effectual manner for improving the ſucceſs already attained. She communicated to them the progreſs of the treaty of union, now depending before the parliament of Scotland.

The ſentiments, contained in her majeſty's ſpeech, met with the full approbation of both houſes: they expreſſed their congratulations on the unparalleled ſucceſs of the laſt campaign, and the high ſenſe they entertained of the merits of the duke of Marlborough, who, under Providence, had been the inſtrument of promoting it. The houſe of lords, of which a great majority were favourable to the preſent miniſters, adverted to the univerſal ſatisfaction of the people, upon the public declaration, made by her majeſty in concert with the ſtates, to the miniſters of the confederate princes, that no negotiations of peace ſhould be entered into, but in conjunction with all the members of the grand alliance [54]. The commons not only gratified the miniſters by granting more liberal ſupplies than had ever been done before for the ſervice of the enſuing year, but for defraying extraordinary ſums, which her majeſty had advanced to her allies, during the preceding campaign, without any previous warrant from parliament [55]. 5th Dec.

Both houſes preſented their thanks to the duke of Marlborough for his eminent ſervices in the common cauſe, and contributed to the farther aggrandizement and proſperity of his family. The lords addreſſed her majeſty, that ſhe would be pleaſed to extend the honours, which ſhe had conferred on his grace, to his poſterity, by act of parliament, as the method beſt ſuiting ſo great an occaſion; and the commons requeſted that his penſion and eſtates might be annexed to his titles. Her majeſty was not backward in con-

[54] Journ. Lords, 5th Dec.

[55] Her majeſty had advanced fifty thouſand pounds to the duke of Savoy for the better defence of Turin, and forty-ſeven thouſand, five hundred pounds in loan to the emperor, which were approved of by the houſe of commons. Journals Commons, 27th January. The total amount of ſupplies, granted this ſeſſion, was ſix millions, one hundred thouſand, four hundred and eighty-two pounds, eight ſhillings and twopence. This was the largeſt ſupply that ever had been granted by an Engliſh parliament.

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ſenting to meaſures which had been ſuggeſted by her diſtinguiſhed favour for him, as well as by his eminent ſervices to the public; and the dignity of a dukedom, together with the manor of Woodſtock, the houſe of Blenheim, and a penſion of 5000l. per annum were entailed, by act of parliament, to his male and female deſcendants[56].

A motion was made by the lords in oppoſition, to introduce the queſtion of the union in the upper houſe, before it had obtained the ratification of the Scottiſh parliament; but, as this motion was evidently intended to obſtruct its ſucceſs, by raiſing difficulties on the point of religion, it was over-ruled. This important buſineſs was at length brought forward in the form, which the miniſters judged the

28th Jan. moſt favourable to its ſucceſs, by an intimation from her majeſty in perſon to the two houſes, that the treaty, with a few alterations, had been ratified by the Scottiſh parliament.

3d Feb. After paſſing an act for the ſecurity of the church of England, the ſeveral articles of the treaty, as has already been mentioned, were conſidered, and agreed to by a great majority in both houſes. A ſupply was granted to her majeſty for enabling her to pay the equivalent to Scotland, agreeably to the fifteenth article of the treaty. Several motions were made for adopting regulations to prevent the injuries which might be ſuſtained by the revenue from an extraordinary importation of foreign commodities into Scotland, previous to the treaty taking effect; but theſe were waved, leſt they ſhould be offenſive to the Scots. The laſt parliament of England was prorogued on the 24th April 1707[57].

[56] Journals Lords and Commons, December, January, paſſim.

[57] Her majeſty, before the meeting of this parliament, conferred titles on ſome of the principal perſons in the Whig intereſt.

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Campaign 1707.—Attempts and Offers made by the French King to procure Peace.—Diſcouraged by the Engliſh Miniſters.—Events and Circumſtances tending to counteract the Succeſs of the Allies, and to prolong the War.—Early Succeſs of the Earl of Galway and the Marquis de Minas.—They are defeated at Almanza.—Succeſs of Villars upon the Upper Rhine.—Count Merci defeats a Body of the French Troops at Offenburg.—Retreat of Villars.—Attack on Toulon by Prince Eugene and the Duke of Savoy.—Cauſes of its Failure.—Naples ſurrenders to the Emperor.—The Duke of Marlborough viſits the King of Sweden at Ranſtadt, and ſoftens his Reſentments againſt the Emperor.—Obſervations on the Campaign.—Naval Affairs.—Embaſſy of the Earl of Manchester to Vienna and Venice.

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DEPRESSED by the misfortunes of the preceding campaigns, the French king had privately intimated his deſire of entering into a treaty for peace; and the marquis d'Allegre, before the campaign was opened in 1706, preſented a memorial to the ſtates on the ſame ſubject. To this no attention being paid, Lewis ſolicited the king of Sweden, upon his return from Poland, to offer his mediation with the belligerent powers, which he declined, becauſe they had not joined in the application [1].

Theſe repeated attempts for bringing about a peace being repreſented by the allies as inſidious and hypocritical, the elector of Bavaria, in name of the French king, addreſſed letters to the duke of Marlborough and the field deputies, ſolemnly diſclaiming all ſiniſter intentions, and propoſing that conferences ſhould be immediately opened by the miniſters of the ſeveral potentates engaged in the war, for re-eſtabliſhing the general tranquillity. But this propoſal was alſo rejected by the court of England and the ſtates, as not ap- 21ſt Oct. 1706.

[1] Hiſtory of the Gertruydenberg Negotiation, p. 87. Lond. 1712.

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pearing to them a proper means for obtaining a ſolid peace, without a ſpecification of preliminary articles [2].

15th Feb. The court of France, probably with a view of removing this objection, applied to the pope for his mediation, offering at the ſame time to reſign Spain and the Weſt Indies, or Milan, Naples, and Sicily, to king Charles, with a barrier for the Dutch, and a compenſation to the duke of Savoy for the waſte made in his country. But neither were theſe offers deemed a ſufficient inducement for entering into ſuch a negotiation [3].

The whigs were at great pains to repreſent the conduct of the French king, through the whole of theſe tranſactions, as inſincere, and as having no other object than to gain time for repairing his exhauſted forces, and to weaken the confederates by the internal jealouſies, which would naturally be excited among them by the propoſals he had made [4].

The various and perſevering applications of the French king for peace, as well as the preliminaries which he ſuggeſted to the pope when ſoliciting his mediation, are certainly ſtrong arguments for inducing the belief of his ſincerity; while it is perfectly conſiſtent with that belief, to admit that he wiſhed to ſow diſſenſions among the allied powers, as the moſt effectual means for procuring what he ſo eagerly deſired, or for ſtrengthening his own hands, if he failed in that object. His application, firſt to the Dutch, and afterwards to them and the Engliſh, excluſive of the emperor and the duke of Savoy, and laſtly to the pope, as the common father of the church, might very naturally infuſe into the breaſt of the allies a ſuſpicion of artifice and ill deſigns; but the admiſſion of this will not be conſidered, by the impartial inquirer, as a ſufficient ground for the exculpation of thoſe miniſters, who, abruptly and peremptorily, rejected propoſals, which might have been improved for the accompliſhment

[2] Quincy, tom. v. p. 272.
[3] Tindal, vol. vii. p. 77.
[4] Dr. Hare's Letter to a Tory Member. Lond. 1711.

of

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of an equitable and laſting pacification. The Engliſh miniſters diſcovered an anxiety to conceal every thing relative to this buſineſs from the notice and inveſtigation of the public: they would not ſo much as permit the preliminaries offered by Lewis to enter into any of the newſpapers; which certainly afforded juſt ground for ſuſpecting either that they were doubtful of the propriety of their own conduct; or ſecretly conſcious of acting from other motives, than thoſe which referred, purely, to the intereſt of the nation [5].

There were many circumſtances, beſides the diſpoſitions of the preſent miniſters, which, notwithſtanding the wonderful ſucceſs of the preceding campaign, diſcouraged every hope of the war being brought to a ſpeedy concluſion. The ſplendid victories of the allies were productive of no other effect, than a tranſient diminution of the military power of France; and, from the immenſe multitude of a people [6], ſubjected to the uncontrolled diſpoſal of the ſovereign, her armies now appeared upon the frontiers in as great force as they had done in any campaign ſince the commencement of the war. While the uncommon abundance of the harveſt afforded an ample ſtock of proviſions, the diſtreſſes of the French treaſury were relieved by exactions and expedients, which could only take place under the moſt abſolute and tyrannical government [7].

The preſent ſtate of public affairs in Germany, as well as the pride and ſelfiſhneſs of the emperor, excited a diſtruſt of his making any effectual exertions for carrying on the war in that quarter where the allies were principally concerned. The diſaffection of his Hungarian ſubjects continued violent and irreclaimable; and, if their conduct had been equal to their ſtrength and intrepidity, they now enjoyed the moſt favourable opportunity for ſhaking off all future de-

[5] Salmon, vol. xxv. p. 390.

[6] In the reign of Lewis XIV. the population of France was eſtimated at nineteen millions. State of the War. Lond. 1708. p. 41.

[7] Quincy, tom. v. p. 271. Hiſtoire de Louis, tom. vi. p. 149. The circulation of mint bills was at firſt confined to Paris, but afterwards extended to all the cities and provinces of France: they had ſo little credit, that they were diſcounted at ſixty per cent. Monthly Mercury, March 1707.

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pendence upon the houſe of Auſtria. The preſent reſidence of the king of Sweden in Germany, his unremitting activity, his vaſt ambition, and his jealouſy of the emperor in every caſe where their intereſts ſeemed to interfere, impreſſed the latter with uneaſy apprehenſions for the ſafety of his hereditary dominions; and threatened to impair the general proſperity of the confederates [8].

The ſtates of Germany, deſolated and impoveriſhed by the conſtant ravages of the war, furniſhed with reluctance a deficient proportion of men and contributions. The army on the Upper Rhine, inſtead of 40,000, the number agreed to by the aſſembly at Heilbrun, amounted to no more than 28,000 men [9]. By the death of prince Lewis of Baden, that army was not only deprived of an able and experienced leader, but the appointment of the marquis of Bareith to the principal command, whoſe age and infirmities rendered him unfit for action, introduced a diffidence among the inferior commanders, and a general relaxation of diſcipline [10].

The propoſals for a peace made by the French king to the duke of Marlborough and the ſtates, without adverting to the emperor, ſeems to have awakened the jealouſy of that prince, and induced him to liſten to overtures for evacuating Lombardy, a meaſure which enabled the French king to ſend additional reinforcements into Provence and Spain [11]. From theſe ſeveral cauſes the campaign 1707 was more unfortunate for the allies, than any that happened in the courſe of this war.

The earl of Galway and the marquis de Minas, with the Dutch, Engliſh, and Portugueſe troops, took the field on the 16th of April,

[8] Hiſtoire de Charles XII. tom. i. p. 134. Hiſtoire de Louis, tom. vi. p. 131. 170.

[9] Barré, tom. x. p. 511. 524.

[10] Prince Lewis had acquitted himſelf with great ability as a general againſt the Turks: if his conduct was not equally brilliant in this war, it ought to be imputed, in ſome meaſure, to his never having been furniſhed, by the Imperial court, with force and equipments adequate to the ſervice required of him.

[11] Hare's Letter. The treaty conſiſted of no leſs than forty-three articles; the moſt important of which was, that all the French and Spaniſh troops, placed in the ſeveral garriſons of Sabionetto, &c. ſhould be allowed a ſafe paſſage into France; in conſequence of which, twenty thouſand men were added to its armies on the frontiers.

and

and began their operations with flattering ſucceſs. After deſtroying the enemy's magazines at Caudette, Yecla, and Montalegre in new Caſtile; and compelling the French army to retreat farther into the country, they returned to lay ſiege to the caſtle of Villena, on the frontier of Murcia. Before the beſiegers had made any conſiderable progreſs in their operations, they were informed of the approach of the duke of Berwick, and there ſeemed to be no alternative, but to give him battle, or to abandon the kingdom of Valencia to the fury of an incenſed enemy. Though his army was already ſuperior to that of the allies [12], yet as the duke of Orleans was on his march to join him with a large reinforcement, there was a neceſſity for making the attack without delay. Quitting the ſiege of Villena, the confederates marched towards Almanza where the duke of Berwick was encamped [13]. When he heard of their being near, he drew up his army in readineſs to receive them. The diſpoſitions, made by the confederate generals, were ſkilful and maſterly; and notwithſtanding their inferiority, the Engliſh and Dutch in the left wing were victorious, penetrated into the enemy's lines, and purſued them as far as Almanza; but not being ſupported by the Portugueſe on the right, they were intercepted by the enemy, and, after an obſtinate conflict, were overpowered by a conſtant ſucceſſion of freſh troops. Several regiments were cut to pieces, and the reſt of the army put to flight. Above five thouſand men, including a great number of the officers of the allied army, fell in battle; and four thouſand who had fled to the adjacent mountains,

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24th April.

[12] This army was far inferior to what had been computed when the allied generals in Spain concerted the campaign. The troops, brought from England by lord Rivers, were ſo much weakened and reduced by the tediouſneſs of the voyage, that not above four thouſand were fit for ſervice. In the general council at Valencia, December 1706, it had been agreed, that all the forces of the confederates then in the kingdom of Valencia, and likewiſe thoſe expected from England, ſhould act in one body; but king Charles, being afraid of the French making an attack upon Catalonia on the ſide of Rouſillon, departed from this agreement, and drew off ſix of the beſt Spaniſh regiments; ſo that the earl of Galway's army did not exceed ſixteen thouſand men. Annals Anne, 1707. Appendix, N° II. Monthly Mercury, May 1707.

[13] Almanza is a ſmall town in New Caſtile.

exhauſted

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exhauſted with hunger and fatigue, ſurrendered to the conqueror without reſiſtance. After this unfortunate battle, the earl of Galway retreated into Catalonia, and joined the royal army under king Charles; the kingdoms of Valencia and Arragon again ſubmitted to king Philip, and the duke of Orleans cloſed a ſucceſsful campaign by taking the city and caſtle of Lerida in Catalonia [14].

The cities of Serpa and Moura, in Portugal, and Cividad-Rodrigo, in Leon, with the garriſons which defended them, alſo fell into the hands of the French during this campaign [15].

The ſucceſs of the French on the Upper Rhine was ſtill more diſcouraging to the allies, becauſe it was leſs expected, and, being nearer the emperor, was more threatening to him than the decline of his brother's intereſt in Spain. Marſhal Villars, at the head of an army which conſiſted of the choice troops of France, marched from Alſace, and, having by feigned attacks diſtracted the attention of the Germans poſted on the other ſide of the Rhine, he tranſported a large detachment over the river at Neuburg, from which the Imperialiſts fled
22d May. with great precipitation. The marſhal, after having defeated an advanced body of German cavalry, came to Buhl, and was making preparations for entering the enemy's lines there; but the prince of Bareith, intimidated by the ſuperiority of his numbers and his ſucceſs, retreated with all his troops under the cover of a miſt, leaving immenſe ſtores of every kind, which fell into the hands of the enemy [16]. The Germans were defeated in ſucceſſive attempts to ſtop the progreſs of the French, who overran a great part of the circle of Suabia, pillaged the principal towns, and laid the country under contributions [17]. It was now apprehended, that the activity and

[14] Berwick, vol. i. p. 354—7. Monthly Mercury, April. The town was taken by ſtorm on the 13th October, and given up to pillage. The monks, who had acknowledged king Charles, were put to the ſword. The garriſon retired to the caſtle, where many of the citizens fled, and ſtood out till the 11th November, when it capitulated.

[15] Lettres Hiſtoriques. July.

[16] Quincy, tom. v. p. 296. Villars, tom. iii. p. 14.

[17] Id. p. 41. This campaign of Villars, otherwiſe ſo brilliant, was ſtained with depredations and oppreſſions, which reduced the people to the moſt extreme wretchedneſs. St. Simon, tom. vii. p. 253.

ſucceſs

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ſucceſs of Villars would undo all the advantages which had accrued to the allies from their victory at Hochſtet, by reſtoring the elector of Bavaria to his dominions, and forcing the adjacent circles to accept of a neutrality. Although Villars was not in force to accompliſh ſuch deſigns, his ſucceſs might have been puſhed to greater extent, had it not been for two fortunate incidents, which increaſed the force of the allies, and weakened that of their opponents [18].

The elector of Hanover was prevailed upon by the joint importunity of the emperor and the queen of England, to undertake the command of the Imperial army; and brought along with him a large and well diſciplined reinforcement of Pruſſian and Hanoverian troops. The reputation he had acquired as a general inſpired the inferior commanders with confidence; and reſtored military diſcipline, which had been relaxed to an extreme degree in the German army [19].

The other event, favourable to the Germans, was the attack made upon Toulon, which drained the army of Villars by the large detachments which were ordered to march into Provence [20].

The firſt exertion of the Germans, under the auſpices of their new general, was attended with ſignal ſucceſs. Count Merci was ſent to attack a body of French troops poſted near Offenburg with the intention of making an incurſion into Suabia; he came upon them by ſurpriſe; eight hundred of them fell, and the reſt were put to flight after a ſhort reſiſtance. Villars was now compelled to retrace the ground through which he had paſſed with ſuch rapidity and triumph; and to place his army in winter-quarters on the other ſide of the Rhine [21]. 24th Sept.

[18] Tindal, vol. vii. p. 24. The author of the Memoires de Villars mentions the marquis of Bareith's having entertained this apprehenſion, without conſidering that Villars was not furniſhed with artillery, &c. neceſſary for the ſiege of Ulm, and accommodations for eſtabliſhing himſelf there, without which ſuch an enterprize muſt have been fruitleſs. Villars, vol. iii. p. 65.

[19] Hiſtoire de Louis, tom. vi. p. 153.

[20] Villars, tom. iii. p. 85, 6.

[21] Id. p. 108, 9. Hiſtory of Europe, 1707. p. 331.

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The renewed force of the French king, after repeated defeats which he had ſuſtained on the frontiers and in Germany, excited a general deſire among the allies of invading his native dominions. As it was only on the Mediterranean coaſt that their naval and military force could act in conjunction, ſo it was evident that ſucceſs in that quarter would redound effectually to their common advantage, by giving the ſevereſt blow to the maritime power of France; and by cutting off her commerce with the Spaniſh Weſt Indies, which furniſhed the principal reſources for maintaining the war. It was therefore concerted between England and the States, that prince Eugene and the duke of Savoy, at the head of the Italian army, ſhould paſs the Alps and enter into Provence; that they ſhould make ſeveral feints for concealing their true deſign from the enemy; and afterwards deſcend to the mouth of the Var, where the fleet under Sir Claudſley Shovel would furniſh them with proviſions and artillery; and from thence proceed with the utmoſt diſpatch to inveſt Toulon. The firſt part of this plan was executed with a facility which exceeded the expectations of its projectors; and the Italian army, ſeconded by the Engliſh ſeamen, who diſplayed aſtoniſhing intrepi-

30th June. dity, forced their paſſage over the Var in the face of entrenchments, which appeared impregnable [22]. Owing however to the ſubſequent remiſſneſs of the duke of Savoy in proſecuting his march, or to unavoidable impediments in a country, where proviſions were ſcarce, and the roads narrow and rugged; not only the inhabitants of the neighbouring diſtricts, but numerous reinforcements from the diſtant provinces, had reached Toulon; and, with unremitting labour, erected ſtrong fortifications on the hills adjacent to the city [23]. The confederates made themſelves maſters of ſome of the enemy's

[22] Sir C. Shovel ordered five ſhips of war to enter the mouth of the Var, where they began to cannonade the French lines; after which, ſix hundred ſeamen landed in open boats, and advanced againſt the enemy, who were ſo much ſtruck with this unexpected and bold attack, that they threw down their arms and abandoned their works.

[23] *Appendix*, N° XII.

poſts:

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posts: they failed, with the loss of many men, in their assaults upon others; while the French force, gathering from every quarter, threatened in a few days to render the retreat of the assailants impracticable. Desisting from all farther attacks, they struck their tents under cover of the night, and conducted their march with such alertness and regularity, as to elude any molestation from the pursuit of the enemy [24]. 15th Aug.

This expedition, though it failed of its ultimate design, was productive of very considerable damage to the French. Eight of their capital ships were destroyed, several magazines blown up, and a hundred and sixty houses burnt in the town. The devastations committed by the allied army in their march through Provence were estimated at thirty millions of livres; and the town and castle of Susa were taken by the duke of Savoy in his return, which formed a strong barrier between his dominions and Dauphiny [25]. £.1,250,000. The miscarriage of the attack upon Toulon, for which various reasons were assigned, was principally owing to the inflexible obstinacy of the emperor in prosecuting the conquest of Naples, in opposition to the remonstrances of England and the States [26]. If the force occupied there had been joined to that of the allies, Toulon would probably have fallen into their hands, while the submission of Naples, from the present disposition of its inhabitants, must have been a certain consequence of that event.

[24] Lives of the Admirals, vol. iii. p. 155. Their retreat was greatly assisted by the fleet. Admiral Dilkes advanced into the creek of Fort St. Lewis, with five bomb vessels, and all the boats of the men of war, supported by the light frigates, and bombarded the town and harbour, which diverted the French army, for a considerable time, from pursuing the confederates. London Gazette, N° 4352. Gregg, who was executed for treason, confessed that he sent a copy of the queen's letter to the emperor, relative to the project against Toulon, to monsieur Chamillard, which made the French more forward in taking measures for its defence. Gregg's Examination.

[25] Idem. Tindal, vol. vii. p. 291.

[26] Dutch Envoy's Memorial. Letter to a Tory Member, p. 12, 13. The emperor not only failed in his engagements to the allies to support this expedition, but embraced the opportunity of attacking Naples, because it could not receive any assistance from the French and Spaniards. Life of Bolingbroke, p. 111. - He was jealous of the aggrandizement of the duke of Savoy, and wanted to get possession of Naples to prevent its being transferred to him at a general peace. Sunderland's Letter. Cole's Collection, p. 457. Lond. 1733.

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The cardinal Pignatilli, archbiſhop of Naples, and the duke of Monteleon, his brother, had entered into a conſpiracy for delivering the city into the hands of the Germans, upon certain conditions, to which the court of Vienna had ſecretly agreed [27]. The Neapolitans in general were ſo much diſguſted with the ſeverities of the French government, that the few friends of Philip, when count Thaun approached, finding it in vain to attempt any reſiſtance, ſecretly conveyed all their treaſure to Gaeta, whither they afterwards fled themſelves. The neighbouring towns, garriſoned with French troops, followed the example of Naples; and count Thaun finiſhed his proſperous career with the ſiege of Gaeta, which was taken by

10th Sept. ſtorm [28].

The duke of Marlborough promoted the intereſts of the confederacy by the ſucceſs of his negotiations, more than by the effects of his generalſhip during the campaign 1707. While the king of Sweden remained in Saxony, at the head of a powerful army, fluſhed with victory, and impatient to ſignalize themſelves in the ſervice of a general who was their companion in every hardſhip and danger, his alliance was courted by the French king, and the elector of Bavaria, with the moſt aſſiduous attention and importunity [29]. The violent diſpleaſure which Charles expreſſed at the conduct of the emperor [30] was extremely flattering to their wiſhes, and would probably

[27] The principal conditions were, that all the privileges, ſtipulated to the Neapolitans, by Charles V. ſhould be confirmed; and that all offices, civil and eccleſiaſtical, ſhould be confined to Neapolitans. Quincy, tom. v. p. 356.

[28] Hiſtoire de Louis, tom. vi. p. 162.

[29] Barré, tom. x. p. 504. The French king notified to the king of Sweden his intention of invading Scotland, with a memorial, urging the juſt title of James to the crown of England. Jackſon's Letter to Mr. Boyle, Stockholm, 21ſt March 1708. MSS.

[30] Charles complained of an inſult offered to his envoy by count Zeber, chamberlain to his Imperial majeſty; and required the delivery of the Ruſſian troops, which, after having invaded Saxony, were received into the German army in the Upper Rhine: he availed himſelf alſo of the preſent criſis, to make ſeveral demands relative to his private intereſt; and to obtain, for the proteſtants in Sileſia, the free exerciſe of their religion. Tindal, vol. vii. p. 257. He was diſpleaſed, becauſe the miniſter of Auguſtus had produced his commiſſion to the Imperial chamber at Wetzlar, under the arms and title of Poland. Lord Raby's Letters to Mr. Boyle, 21ſt, 28th April. MSS. The interpoſition of the queen of England and the States, at length, overcame

bably have fixed his reſolution in their favour, had he not, at the ſame time, been exaſperated againſt the Czar for having over-run Poland, and compelled Staniſlaus to abdicate his crown. While the young monarch was wavering between diſtracting objects of reſentment and ambition, it was hoped, that the preſence and addreſs of the duke of Marlborough might be ſucceſsfully employed for reconciling him to the intereſts of the allies. After conſulting with the duke of Hanover, who was intimately acquainted with the temper of Charles, and had acquired an early aſcendancy over his councils, Marlborough repaired to Ranſtadt where the king was[31]. He ſecured the influence of the Swediſh miniſters by the promiſe of pecuniary rewards. He had repeated interviews with Charles himſelf, and, by inſinuating addreſs and ſpecious arguments, enforced by his two confidential miniſters, he ſoftened his reſentment againſt the emperor, and confirmed his purpoſe of proſecuting hoſtilities againſt the Czar[32]. Having thus effectually diſcharged his duty as a ſtateſman, the duke returned to the Hague, and after conſulting with the deputies, aſſumed the command of the confederate army near Hall[33].

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27th April.

21ſt May.

A more unintereſting campaign does not occur in the annals of the German war. No battle, no ſtratagem, no incident of importance, to attract the attention, and gratify the curioſity of the reader.

came the obſtinacy of the emperor, gratified the pride of Charles, and prevented a rupture, which might have proved fatal to the confederacy. Tindal, vol. vii. p. 259.

[31] Hanoverian Papers, 1706, 1707.

[32] Lemieres. The following anecdote given by Voltaire, is a ſtriking proof of the diſcernment and addreſs of the duke of Marlborough. "Marlborough, who had learned from long "experience the art of penetrating into cha- "racters, and diſcovering the connexion "between thoughts, words, and geſtures, "fixed his eyes attentively upon Charles. "When he ſpoke to his majeſty of war, he "perceived in him a natural averſion to "France; and that he was pleaſed when he "talked of the conqueſts of the allies. His "grace then introduced the name of the "czar, and obſerved, that the eyes of Charles "kindled at the ſound: he farther remarked, "that a map of Muſcovy was lying on the "table. The duke wanted no more to be "convinced, that the real object of the king's "ambition, was dethroning the czar, as he "had already done the king of Poland." Hiſtoire du Charles XII. tom. i. p. 135.

[33] The confederate army conſiſted of ninety-ſeven battalions, and one hundred and ſixty-four ſquadrons of horſe and dragoons; that of the enemy, of one hundred and two battalions, and one hundred and ſixty-eight ſquadrons. Lediard, vol. i. p. 472.

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The duke of Marlborough hung upon the French with indefatigable perſeverance, and followed them from camp to camp through Brabant to Tournay; but the vigilance, the precaution and celerity of the duke of Vendoſme, eluded every ſcheme for bringing him to battle [34].

Although the French had no fleet of remarkable ſtrength at ſea during the ſummer, yet the trade of England ſuffered exceedingly by the number of their privateers; and above twenty of the Weſt India and fifteen of the Baltic ſhips were captured by monſieur Forbin, who commanded the Dunkirk ſquadron [35]. The Engliſh navy ſuſtained a ſevere blow by the wreck of four ſhips of war returning from Portugal, on the rocks to the weſt of Scilly. All the crews periſhed, and in that number the brave admiral, ſir Claudſley Shovel [36]. The only ſucceſs at ſea, anſwerable to the expectation of the Engliſh, was that of captain Underdown, upon an expedition againſt the French fiſheries in North America. Some of the frigates which protected the trade were taken, and the reſt, together with the greateſt number of the fiſhing boats, and ſtores of fiſh and train oil, amounting to a very conſiderable value, burnt and deſtroyed [37].

After the concluſion of this campaign, an attempt was made by the court of England to prevail upon the republic of Venice to join the grand alliance. At the commencement of the war, the ſenate had reſolved, with the approbation of the emperor and the French king, to maintain a ſtrict neutrality. The armies of both were permitted to march through the Venetian territories, and to purchaſe proviſions for ready money, upon the condition that they were not

[34] Lediard, vol. i. p. 491. The duke, after continuing two months at his camp at Meldert, afterwards paſſed the Dyle with the intention of attacking the enemy at their camp at Gemblours; but they, hearing of his being in motion, fled with precipitancy towards Fleurs. Military Hiſtory of Marlborough, p. 316. *Appendix*, N° XIII.

[35] Lives of the Admirals, vol. iii. p. 168.

[36] Id. p. 158. Sir Claudſley Shovel had raiſed himſelf from a low ſtation, purely by merit; no man underſtood the affairs of the navy better, or was more beloved by the ſailors: he had alſo the merit of never entering into any faction. MSS. Characters.

[37] Tindal, vol. vii. p. 303.

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to uſe violence againſt the people, or to enter into any of the towns. It was, however, impoſſible to reſtrain the inhabitants from giving occaſional aſſiſtance to the commanders as they paſſed, or the armies from committing depredations in the country, inconſiſtent with the engagements which had been entered into between the ſenate and the contending powers. This gave occaſion to reciprocal complaints and remonſtrances, and both the emperor and the French king were ſtriving, ſometimes by intrigues, and ſometimes by threats, to induce the Venetians to take an open and decided part in their favour[38]. The Venetians were not without alarm from the ambition of Lewis, and probably wiſhed the allies to ſucceed in reducing his power; but the imprudent violence of the emperor, in forcing the importation of proviſions for his armies through the gulf of Venice, and bringing hoſtilities into their ports, ſo much provoked them, that they ſtill ſtood aloof, and were determined not to interpoſe for his advantage[39]. In this ſituation the ſolicitation of England ſeemed to be the only expedient for inducing them to coaleſce with the confederacy, and the importance of this object was earneſtly urged by the duke of Marlborough[40], whoſe advice was implicitly followed in every thing relative to the war. The earl of Mancheſter was accordingly appointed ambaſſador extraordinary to the republic of Venice, and left England early in 1707. After his departure the miniſtry received information of the emperor's deſign to reduce Naples, which occaſioned inſtructions being ſent to him to take Vienna in his way to Venice; and, in name of the queen of England, to uſe the moſt preſſing inſtances to perſuade the emperor to abandon, or at leaſt to poſtpone a deſign, inconſiſtent with the project which the allies had formed of invading Provence. The carrying this into execution became more than ever important after the fatal battle of Almanza, as it ſeemed to be the only expedient to retrieve the affairs of king Charles, by obliging the French king to

[38] Cunningham, vol. i. p. 216.

[39] Id. p. 305. Earl of Mancheſter's Letter to Sunderland. Venice, 5th Auguſt; to Godolphin, September 1707. Cole.

[40] Letter of the Duke of Marlborough to the Duke of Shrewſberry. London, January 12th, 1704, &c. MSS.

withdraw

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withdraw his troops from Spain. The earl arrived at Vienna in the beginning of April, and continued there till the end of May; and, together with the Dutch envoy, uſed both intreaties and threatenings to accompliſh the object of his miſſion. He was ſometimes flattered with hopes of ſucceſs, but at length found, that neither a regard to honour, nor to his brother's cauſe, could move the reſolution of the emperor, where any immediate proſpect of advantage to himſelf interfered; and from this diſappointment the allies had but too good reaſon to anticipate the fatal iſſue of the expedition againſt Toulon[41].

The earl of Mancheſter, after his arrival at Venice, propoſed to the ſenate to take a part of their troops into the pay of England for aſ-
21ſt Sept. ſiſting in the Italian war, and offered them conditions extremely favourable to the trade of the republic. After many debates upon this ſubject, his propoſals were rejected by a majority; and it was determined to adhere rigidly to the neutrality which they had hitherto obſerved. The king of France, upon being informed of the earl of Mancheſter's deſign, had communicated to the Venetians his purpoſe of invading Scotland, with the hopes of bringing about a revolution in the Engliſh government; and the impreſſion which this made upon the Venetians rendered them more backward to take any part in the alliance, which ſo materially depended upon the internal tranquillity of England.

The conduct of the Imperial court, while the earl of Mancheſter was negociating with the Republic, affords a glaring example of ſelfiſhneſs and ingratitude. Although the acceſſion of the Venetians to the confederacy would have been profitable to the emperor, more than to any of the allies; yet ſo jealous was he of its being obtained by the interceſſion of England, that he inſtructed his ambaſſadors, to intimate to the ſenate his great diſpleaſure for their having preſumed to treat with the queen of England, before they had conſulted with him about the diſpoſal of their troops[42].

[41] Letters of the Earl of Mancheſter, Lord Sunderland, and Mr. Harley. MS.

[42] Letters of the Earl of Mancheſter to Sunderland. Venice, 21ſt October 1707, &c. Cole's Collection.

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Review of the State of Parties from the Acceſſion of the Queen.—The Duke of Marlborough's Separation from the Tories.—Circumſtances favourable to the Reſtoration of the Whigs.—Character of Mr. Harley—of Mr. St. John—of the Duke of Marlborough—of Lord Godolphin.—Increaſe of the Power of the Whigs during the Second Parliament.—Lord Halifax and Lord Somers ſupport Miniſtry.—Their Characters.—Cauſes of the Decline of the Whig Intereſt.—Conduct and Character of the Ducheſs of Marlborough.—Intrigues of Mr. Harley, and Mrs. Maſham.—Objections to the Meaſures of the Miniſters.—The Queen alienated from them.—Wiſhes for Peace.—Mr. Harley's Influence increaſes—is ſuddenly overturned.—Views of the Court of St. Germains, and its Correſpondents.—Affairs in Ireland.—Firſt Seſſion of Parliament there—Second—Third.

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THE ſtruggles and fortunes of parties conſtitute an inſtructive and amuſing branch of the hiſtory of every free ſtate, and were ſingularly intereſting during the reign of queen Anne. Having only adverted to this ſubject incidentally in the preceding pages, that I might not interrupt the narrative of public tranſactions, I ſhall now enter more minutely into a detail of the intrigues of the cabinet, and delineate the characters of the principal actors there, in order to convey to the reader a true idea of their political conduct and general merits. This diſcuſſion will afford an opportunity of contemplating the mighty influence of frivolous incidents and unſuſpected cauſes, in regulating the great affairs of ſtate, while it exhibits mortifying examples of the inconſiſtency of human character, and the meanneſs and weakneſs which are often blended with the moſt ſhining talents.

Although the earl of Marlborough had early enliſted with the tories, yet he was too ſagacious not to diſcern, at the commencement of this reign, the ſtrongeſt reaſons for breaking off his con-

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nexion with that party, and reſtraining its influence in the cabinet. Nothing leſs than an abſolute aſcendant there could enſure the continuance of the war, and procure liberal grants neceſſary for carrying it on to ſuch an extent, as correſponded with the ambitious projects which he had formed. The earl of Rocheſter, who aſpired at the office of prime miniſter, explicitly diſapproved of the Engliſh taking a leading part in the war; and though complaiſance to the queen, and their recent condemnation of the partition treaty, reſtrained the tories from coinciding avowedly with his opinion, yet it was ſuſpected, that they were not cordially favourable to continental politics [1]. If the influence of Marlborough over the mind of the queen had not alone been ſufficient to diſappoint the ambition of his rival, yet lord Rocheſter could not with propriety have been placed at the head of adminiſtration, when the tenor of public meaſures was repugnant to his declared opinion; nor intruſted with the management of the treaſury, when it was to be expended in ſupporting meaſures which he had condemned. As the talents of lord Godolphin were well adapted to the management of the finances, ſo the intereſt of his family was now interwoven with that of the earl of Marlborough, to whom he became obſequiouſly devoted.

6th May, 1702. Lord Godolphin being appointed to the office of lord high treaſurer, and the earl of Marlborough made commander of all the forces in the pay of England, it only remained, that they ſhould exert their united intereſt, under the auſpices of the ſovereign, to reconcile the majority of parliament to their favourite meaſures. The courtly principles of the tories were but a ſlender ſecurity for their adherence to the miniſters; and the ardour of their loyalty abated when they found that the queen was more ſlow and reluctant than they expected, in raiſing them to the excluſive poſſeſſion of power. When the earl of Rocheſter was diſmiſſed, they began to rally under the ſtandard of oppoſition.

[1] Other Side of the Queſtion, p. 176—180. London, 1742.

This

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This criſis of affairs preſented to the whigs an unexpected opportunity of emerging from that depreſſion into which they had ſunk at the beginning of the reign. Their principles led them to vindicate and ſuppott the grand alliance; and their ſituation, apparently deſperate while they were without any intereſt at court, induced them to render their aſſiſtance to adminiſtration upon eaſier terms than their antagoniſts, who ſtood upon the high ground of royal patronage. The whigs were willing to ſerve in hope, to truſt to the generoſity of their employers for diſtant reward; and to ſpare them the diſagreeable neceſſity of coming to a ſudden rupture with ſuch of their old friends as were diſpoſed to ſupport their meaſures; or of offending their miſtreſs, by precipitating changes, and puſhing preferments to which ſhe was averſe [2]. With a prudent regard to theſe circumſtances, the ruling members of the cabinet adjuſted their arrangements, and extended their political influence. They began with ſelecting, as the objects of promotion, perſons of ambiguous connexion, and ſuch of the whigs as had acted with greater moderation than the reſt of the party, and who, at the ſame time, enjoyed the good opinion of the public.

There was not any perſon whatever, who now appeared in the political circle, more fortunate in the poſſeſſion of theſe qualifications than Mr. Harley, the ſpeaker of the houſe of commons. He had been diſtinguiſhed by his early and active zeal for the revolution [3]: the detection of enormous corruption, brought home to ſome of the miniſters in the preceding reign, was principally owing to his patriotic inveſtigation [4]: he was a zealous ſupporter of the bill for triennial parliaments: he had diſcovered great knowledge in the finances when he acted as a member of the committee for inſpecting the public accounts; and by preparing a ſcheme to make good the

[2] Conduct of the Ducheſs of Marlborough, paſſim.

[3] He joined the prince of Orange with a troop of horſe raiſed at his own expence.

[4] He had been very active in the buſineſs of the orphans of the city of London, 1692, 3; and contended for the reduction of the Iriſh grants.

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deficiencies of the revenue, which had a ſeaſonable effect in reſtoring public credit. But what above all raiſed Mr. Harley's merit, in the eſtimation of the whigs, was his zeal for the extenſion of the proteſtant ſettlement, and his propoſing, at the ſame time, regulations of government, and limitations of prerogative, which, had they been obtained, would, in their opinion, have exalted the Britiſh conſtitution to the ſummit of perfection. When parties run high, few, who have appeared long in a public character, are ſo fortunate as to eſcape the reproach of verſatility; but the friends of Mr. Harley aſſerted, that if ever he had left the whigs, it was only when they departed from their own conſtitutional ground, as in the caſe of their voting for the attainder of ſir John Fennick, and of their oppoſition to diſbanding the army [5]. In teſtimony of his diſtinguiſhed merit he was choſen ſpeaker of the houſe of commons in the two laſt parliaments of king William, and was again preferred to the ſame honour in the firſt of the queen; nor was there any perſon, who, on account of his moderation, experience in buſineſs, and diſcernment of characters, ſeemed better qualified for managing that aſſembly. The perſons, who directed the councils of the queen, ſoon found a fair opportunity for aſſigning to him a high ſtation in the miniſtry, in conſequence of the voluntary reſignation of the ſeals by the earl of Nottingham [6].

16th May, 1704.

[5] Hiſtory of the laſt Miniſtry and Parliament.

[6] Tindal, vol. vi. p. 4. Mr. Harley's reputation did not keep pace with his preferment; nor did his merits as a miniſter anſwer the high expectations excited by the diſtinguiſhed figure which he made in the earlier ſtages of his political career. The moderation which he affected, and the trimming which he practiſed under that pretext, flattered the hopes, and procured the good opinion of individuals and parties in oppoſite intereſts; but afterwards involved him in perplexity, when he obtained the reins of adminiſtration; and, as he was unable to gratify the demands of any, he became obnoxious to the reſentment of every party.

Firmneſs, and promptitude of deciſion, are eſſential properties in the character of a prime miniſter; but the want of them is not ſo eaſily diſcovered in the candidate for that pre-eminence, while he remains in the ſubordinate departments of office. The dependents and under-actors in adminiſtration have little ſcope for deliberation, and are expected to purſue and defend the meaſures which their ſuperiors ſuggeſt; but, from the moment a perſon is intruſted with the primary direction of affairs, his irreſolution or incapacity for deciſion can no longer be concealed from his colleagues, and ſeldom fail to expoſe him to their contempt.

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Mr. St. John was appointed ſecretary at war, on the 20th of April 1704. The pregnant abilities of Mr. St. John had attracted the flattering attention of his tutors during the courſe of his academical ſtudies. The quickneſs of his conception, and the wonderful ſtrength of his memory, counterbalanced the great diſadvantages which he lay under from extreme diſſipation, and the unbridled purſuit of pleaſure. His claſſical taſte, his erudition and vivacity, procured him a high reputation in the literary world; and excited a general expectation of his making a ſhining figure in public life. Nor was this expectation diſappointed. His clear and comprehenſive views of buſineſs; the dignity and eloquence with which he acquitted himſelf in debate; the ſplendor and fluency of his expreſſion, and the gracefulneſs of his manner, recommended him to the notice of every party as ſoon as he began his political career. Although different teſtimonies have been tranſmitted to us, with reſpect to the prejudices which he had imbibed in early life, both *high church* and *puritannical* zeal having tainted his immediate anceſtors[7], yet, as he had joined the tories in arraigning the partition treaty, and had entered warmly into the defence of their favourite bill againſt occaſional conformity, he was marked as one of their partiſans. He had formed an intimate connection with Mr. Harley, and entertained a high admiration of the duke of Marlborough, which diſpoſed him cordially to take a part in an adminiſtration in which they were united[8].

The accompliſhments of a courtier and ſtateſman the duke of Marlborough poſſeſſed in a degree inferior to none of his contempo-

[7] His grandfather and grandmother were diſciples of Dr. Burges, whoſe diſtinguiſhed popularity among the preſbyterians, afterwards expoſed him to the fury of the high church mob. Lord Bolingbroke himſelf acknowledges his early connexion with the diſſenters; and, in a letter to Mr. Pope, mentions his having been condemned, when a boy at ſchool, to read a folio volume of Dr. Manton, a puritanical divine, who compoſed a hundred and nineteen ſermons upon the hundred and nineteenth pſalm. Letters to Mr. Pope, &c. p. 526. printed 1753.

Mr. St. John was choſen member for Wotton-Baſſet, in Wiltſhire, in the year 1700, and continued to repreſent that burgh in three ſucceſſive parliaments.

[8] Life of Bolingbroke, paſſim.

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raries, while his military talents raiſed him far above all rivalſhip and competition. The natural advantages of a fine figure and dignified mien, embelliſhed with all the graces of the court, to which he was introduced at an early ſtage of life, before his more uſeful qualifications were diſcovered, made lord Churchill the firſt object of notice and admiration in every polite circle. While theſe exterior excellencies recommended him as the fitteſt perſon to be employed on buſineſs of compliment at foreign courts, his faſcinating addreſs, his political knowledge, and his acute penetration into characters, rendered him the moſt able and ſucceſsful negotiator in the more weighty affairs of ſtate.

The early proficiency of lord Churchill in every branch of warlike ſcience, and his meritorious exploits in the ſtation of a ſubaltern commander, had excited a general expectation of his aſcending to diſtinguiſhed ſuperiority in the line of his profeſſion [9]. The hiſtory of ten eventful campaigns demonſtrated, that nothing was expected from him which he did not perform; and that there was not a ſingle accompliſhment of a general, in which he did not excel. His comprehenſive and various capacity was equally adapted to complicated and detached objects. In the ſeveral departments of plan and ſtratagem, and of enterpriſe and action, he was alike ſucceſsful. The general arrangement of the campaign, and the diſpoſitions which he made in the day of battle; his choice of ground, his compoſure and preſence of mind in the heat of an engagement, his improvement of victory, and his ready expedients under bad fortune, for a defeat he never knew, were all evidences of ſuch diverſity of talents, and ſuch a ſtupendous pitch of military genius, as never have been ſurpaſſed by thoſe of the greateſt commanders in ancient or modern times.

[9] Captain Churchill was diſtinguiſhed among the Engliſh auxiliaries in the ſervice of Holland 1672. His military ſkill and bravery attracted the notice of the marſhal Turin, who predicted his future greatneſs. Biographia Britannica. Life of Churchill.

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The profeſſional conduct of the duke of Marlborough exhibits the moſt favourable view of his virtue as well as of his genius. Among the various hoſtile operations which he directed, during ſo long a ſervice, no example occurs of any propenſity to wanton ſeverity. He was a merciful and generous conqueror, and ſtudied, more than any commander before his time, to reconcile the affections of vanquiſhed ſtates by kindneſs and lenity; and to mitigate the ſufferings of his priſoners, by providing them with medicine, attendance, and every palliative of which their ſituation could admit. Thus far we admire and praiſe: but, as all human characters are imperfect, ſo it cannot be denied, that the admirable endowments, and good diſpoſitions of the duke of Marlborough, were counterbalanced by a more than common alloy of meanneſs and depravity. Self-intereſt was his ruling paſſion, and when its object interfered, perverted his talents, and degraded his conduct.

His ingratitude to king James, political prejudices apart, will be condemned by every feeling and honourable heart. If he ever afterwards felt any kind inclinations towards the perſon or family of his unfortunate benefactor, they were quickly controlled by motives of party reſentment, or perſonal aggrandizement; which, notwithſtanding renewed profeſſions of his attachment to them, rendered him the principal inſtrument of confirming their exile and degradation.

Although the abilities of lord Godolphin were not ſo brilliant and extenſive as thoſe of the general, yet they were far above the common level, and admirably adapted to the ſphere in which he acted. His talent for diſtinct arrangement, his continued application to buſineſs, and his untainted integrity in office, rendered him the fitteſt perſon for ſuperintending the treaſury. He acquired great method and order in the management of that department, and by the regularity and exactneſs of his payments, he raiſed the public credit to a higher pitch than had ever been known before. Under his direction

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the œconomy of the exchequer was exceedingly improved; and he had ſo entirely gained the confidence of the monied men, that ſupply was never wanting for the execution of any project adopted for the ſervice of government [10].

From the behaviour of the tories to the duke of Marlborough in the firſt parliament of queen Anne, it appeared that they were divided between hope and fear, between courteſy and reſentment. They were ſometimes inclined to careſs and cajole; but oftener to affront and diſappoint him. While they acknowledged his ſervices in the ſtrongeſt expreſſions of gratitude, they obſtructed and retarded thoſe pecuniary rewards which the queen wiſhed to confer upon him. They afterward encouraged inquiries tending to the crimination of his miniſterial friends, and the injury of his own reputation. Thus the ſeveral queſtions, relative to the neglect of the war in Spain, the loſs of the battle of Almanza, the miſcarriage of the expedition on the Moſelle, the deficiency of the allies in furniſhing their quotas, and the beneficial ſtipulations granted to the Dutch, were evidently agitated with a view to diſparage the plans of the miniſters, and to expoſe their partiality to the intereſt of the duke of Marlborough. They embraced every opportunity of introducing rival heroes, to captivate and divide popular admiration. They put the ſucceſs of ſir George Rooke and the duke of Marlborough upon the ſame level; and magnified the exploits of the earl of Peterborough, for the purpoſe of detracting from the high fame of the envied commander. Such conduct, as might naturally have been expected, only ſtimulated his exertions for accompliſhing the complete overthrow of the party which ſet its face againſt him [11].

[10] Burnet, vol. ii. p. 831. vol. v. p. 870. Other ſide of the Queſtion, p. 295. His deportment wa s rather ſolemn and forbidding, and he was difficult of acceſs; but, as he was the ſame to all degrees, he did not loſe in eſteem by this. "He was a perſon of ſtrict "honour, and uſually did more than he pro- "miſed." MSS. Character of Lord Godolphin. Letters from the Earl of Shafteſbury to Robert Moleſworth. London 1721, paſſim.

[11] Journals Lords and Commons, paſſim. Letters on the Hiſtory of England, vol. ii. p. 111, 112. Lond. 1780.

After

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After the diſſolution of the firſt parliament, the whig intereſt advanced apace, and derived advantage from the very meaſures which were employed for its deſtruction. Sober, diſcerning men were alarmed by the headſtrong and violent proceedings of the tories [12]. Their moderate friends forſook them; and hence the origin of what was called a *middle party*, compoſed of individuals who had arranged themſelves under oppoſite ſtandards, but who never had been engaged in the heat of the conteſt on either ſide [13]. Some of the whigs, however, ſtill retained a jealouſy of the duke of Marlborough and lord Godolphin; and though they did not oppoſe important queſtions relative to the war, yet they did not accept of employment, or wiſh to be conſidered as the tools of miniſters who had acquired too great an aſcendant in the councils of the ſovereign [14]. This occaſioned a diſtinction to be made between the *new* and the *old* whigs. Thoſe who ſupported not only the meaſures, but the perſonal intereſts of the miniſters, were called *new* whigs; and thoſe who kept aloof from the tories, and generally voted with the miniſters, though not aſſociated with them in office or private conſultation, were called the *old* whigs [15].

In proportion as the whig intereſt was promoted by the miniſters at home, it was favoured by the allies abroad. The merits of the duke of Marlborough, highly prized by them, muſt naturally have given them a bias to the party with which he was connected, without any reſpect to its principles, or its influence in the domeſtic policy of England. But when the tories introduced parliamentary inquiries into the conduct of the allies, and loaded them with cenſure for the purpoſe of obliquely ſubverting the reputation of the general, this naturally ſuggeſted to both the plan of a joint intereſt

[12] Supplement to the Faults on both Sides, p. 7. Lond. 1710.

[13] Cunningham, vol. i. p. 328.

[14] Lord Somers was the moſt diſtinguiſhed perſon of this deſcription. Mr. Edward Wortley, Mr. Hampden, ſir Joſeph Jekyl, and ſir Peter King obſerved the ſame conduct. Lord Coningſby, Mr. Craggs, Mr. Peyton, &c. were ſervilely obſequious to lord Godolphin. Cunningham, vol. i. p. 400—460, &c.

[15] Cunningham, vol i. p. 462. Hiſtory of the October Club, p. 12.

and

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and reciprocal defence. The miniſters ſtood forth as the apologiſts for the allies, as often as their fidelity and honour were attacked, or any ſpecial concern of theirs was to be promoted; and the allies, in their turn, recompenſed their defenders, not only by munificent preſents, but by doing all they could to prop the whig miniſtry, and to encourage and ſtrengthen its partiſans [16].

Independent of any hoſtility, either foreign or miniſterial, the conduct of the tories themſelves was ſufficient to account for the entire extinction of their intereſt with the court. The meaſures which they purſued, after they had loſt their power, exhibited the moſt ſhameful inconſiſtency, and the arguments and expreſſions, adduced by them to enforce theſe meaſures, were a groſs violation of that reſpect and tenderneſs, which were due to the dignity and ſex of the ſovereign. It is no wonder, that ſuch treatment quenched every ſpark of affection for the party which ſhe firſt favoured; and that ſhe became leſs reſerved in caſting off ſuch of the Tories as ſhe had hitherto retained in her ſervice. The earl of Rocheſter, the earl of Jerſey, the earl of Nottingham, ſir Edward Seymour, ſir Nathan Wright, and ſir Charles Hedges, all of them notable men of that party, were ſucceſſively turned out of their places [17].

1705, 6. The whig intereſt became more popular and vigorous from being eſpouſed by ſome perſons of talents and experience, whoſe former ſervices had obtained the public confidence, which was the more confirmed, becauſe they did not now participate of the emoluments of the ſtate. Of this deſcription, none ſtood higher than lord Halifax and lord Somers. The merit of delivering the nation from an impending bankruptcy, and reſtoring the vigour of public credit in the late reign, was juſtly imputed to the laborious ingenuity of lord Halifax. He had alſo been the principal inſtrument of advancing the credit of the bank of England; and projecting the ſcheme of the new Eaſt India Company, which had materially contributed to the

[16] The effects of this aſſociation were ſtill more conſpicuous at the cloſe of the war.

[17] Conduct of the Ducheſs of Marlborough, p. 145, &c. paſſim.

relief

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relief of government at a time of extraordinary embarraſſment and difficulty. Although he had been diſgraced by the queen, and ſtruck out of the liſt of privy counſellors, yet he never entered into wanton or indiſcriminate oppoſition, or adopted that virulent ſpirit which now appeared in many who had been the firſt objects of royal favour, becauſe they had not ſucceeded to the utmoſt of their expectation in profiting by that diſtinction. As lord Halifax's abilities as a ſtateſman rendered his aſſiſtance an important acquiſition to the party to which it was given, ſo his known zeal for the proteſtant ſettlement inſpired its friends with a confidence in the preſent miniſters, which they could not have obtained on the ſcore of their perſonal merits or reputation [18].

Lord Somers, who had lived in retirement at the beginning of this reign, now began to aſſiſt in the councils of adminiſtration. No perſon ſtood higher in the public opinion than he did for abilities, probity, and a ſteady adherence to the principles which he profeſſed at his outſet in public life. He had uniformly oppoſed the arbitrary meaſures of Charles and James. He was the principal inſtrument in perſuading the commons to ſettle the crown upon king William. After the death of the duke of Glouceſter, he projected the bill for extending the proteſtant ſettlement; and he never let ſlip any opportunity to ſtrengthen and corroborate that deed. As a judge, he was diſtinguiſhed for his gentleneſs, patience, and impartiality. None ever excelled him in diſcriminating and arranging the eſſential branches of a cauſe; in placing intricate points in a perſpicuous light, and levelling them to ordinary comprehenſion. A clear underſtanding, and a profound knowledge of the hiſtory and laws of England, ſtamped a ſuperior authority upon his opinions relative to affairs of ſtate, which did not eſcape the diſcernment of king Wil- 1705, 6.

[18] He was a zealous patron of learned men; and poſſeſſed a great ſhare of literary merit. Addiſon, Prior, Locke, Steele, Congreve, and ſir Iſaac Newton, were all promoted under his adminiſtration.

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liam, who confided more in him than any other counſellor. The effect of this authority was, indeed, in ſome degree, impaired by the diffidence and modeſty with which he delivered his opinions in council, for it was the weakneſs of his character too readily to yield his own better judgment to that of his colleagues, who were neither ſo diſintereſted, nor well informed [19].

1705, 6. In the ſecond parliament of this reign, the whig intereſt carried all before it; and had ſpread ſo far, and ſtruck ſo deep a root, that it ſeemed beyond the hazard of being overturned again during the life of the queen. Nothing, however, is more precarious than political power, and the very influence by which it has been nurtured and reared often proves the occaſion of its ſubverſion and ruin. This obſervation will be illuſtrated by a detail of the ſecret cauſes, which nearly deſtroyed the whig intereſt, when it had juſt reached the ſummit of proſperity; and which, though their operation was counteracted and ſuſpended by unexpected incidents, again reſumed their energy, and finally prevailed.

The conduct and demeanor of the ducheſs of Marlborough gradually alienated the confidence, and at length exaſperated the ſpirit of her affectionate and bountiful miſtreſs. There are few who have attained either ſuch proficiency in ſelf-denial, or ſuch refinement of friendſhip, as to become indifferent to thoſe ceremonial attentions, which are the cuſtomary appendages of high rank and authority. Nor, on the other hand, are there many who perfectly underſtand the proper ſeaſons and boundaries of familiarity, or who know how

[19] Lord Somers publiſhed ſeveral political pamphlets in the early part of his life, which were diſtinguiſhed by correctneſs of ſtyle, and perſpicuity and force of argument. During his retirement at the end of the late, and the beginning of the preſent reign, he devoted himſelf entirely to ſtudy, and the gratification of that exquiſite taſte for polite literature and the fine arts with which he was eminently endowed. He had the honour of being preſident of the royal ſociety at a time when it was compoſed of ſome of the moſt illuſtrious geniuſes that ever did honour to human nature. Walpole's Catalogue of Royal and Noble Authors. Moleſworth's Letters. MSS. Letters of Lord Somers to the Duke of Shrewſberry.

to

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to attemper the habits of juvenile friendſhip with reſerve and modeſty, befitting the changes which have ariſen from the lapſe of time or incidents of fortune. In this undefinable, though important ſcience, the ducheſs of Marlborough was ſingularly deficient. She did not conſider that the affability of intercourſe in which ſhe had been indulged by her miſtreſs, at a period when the heart is open and devoid of care and artifice, and which had been afterwards cheriſhed by ſympathetic diſappointments and hopes, could not be continued with propriety, and without giving offence, at the age of gravity and buſineſs, within the walls of a court, and between the ſubject and the ſovereign. Though the ducheſs ſhared in the exaltation of her miſtreſs by the favours heaped upon her family, ſhe was obſtinately tenacious of the privileges of Mrs. *Freeman*; and expected to find, in a royal friend, the ſame undignified eaſe, unguarded frankneſs, and tolerance of contradiction and rebuke, which ſhe had experienced in the condeſcending and affectionate *Morley* [20]. But impertinent familiarity, which flows from indiſcretion or mere error of judgment, was not the ſole or the principal cauſe of diſguſting the queen, and undermining the influence of the favourite. By unexampled greedineſs of diſpoſition and imperiouſneſs of temper, the bounty of the friend was abuſed, the liberty of the miſtreſs invaded, and the ſerenity of her domeſtic enjoyment diſturbed. A profuſion of kindneſs, which was rather an evidence of the weakneſs than the generoſity of the queen, only ſerved to inflame the avarice and multiply the demands of her rapacious dependent. Preſents, honours, offices,

[20] "The princeſs grew uneaſy to be treated "by me with the form and ceremony due to "her rank; nor could ſhe bear from me the "ſound of words which implied diſtance and "ſuperiority. This made her one day propoſe to me, that whenever I ſhould happen "to be abſent from her, we might in all our "letters write by feigned names, ſuch as "would import nothing of diſtinction of rank "between us; *Morley* and *Freeman* were the "names her fancy hit upon, and ſhe left me "to chuſe by which of them I would be "called. My frank temper led me to pitch "upon *Freeman*, and ſo the princeſs took the "other; and from this time Mrs. *Morley* and "Mrs. *Freeman* began to converſe as equals, "made ſo by affectionate friendſhip." Conduct of the Ducheſs of Marlborough, p. 14.

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were accumulated upon her and her huſband, beyond any precedent of royal munificence [21]. The relations, the dependents, the favourites of the favourite, were preferred in every competition for the patronage of the ſovereign. But when this did not ſuffice; when the ducheſs of Marlborough aimed at engroſſing all the prerogatives of royalty, except the title; when ſhe intermeddled in the diſpoſal of every important office in the army, the navy, the treaſury; and was angry becauſe the queen reſerved for herſelf the eccleſiaſtical appointments [22], in which ſhe was conſcientiouſly intereſted; when the whole ſyſtem of public meaſures was to bend to the counſels and intereſt of a junto; when the ſovereign was not permitted to have any opinion or prejudice of her own; when terror was added to tyranny, and angry threats chaſtiſed every attempt to exerciſe her right and aſcertain her independence; we need not wonder that indignation ſucceeded affection, and that the queen grew impatient for an opportunity of being liberated from a bondage, aggravated by

[21] *A Statement of the Offices and Emoluments enjoyed by the Duke of Marlborough.*

	Per Annum.
Plenipotentiary to the States,	£. 7,000
General for the Engliſh forces on Mr. How's eſtabliſhment,	5,000
General in Flanders upon Mr. Brydge's eſtabliſhment,	5,000
Maſter of the ordnance,	3,000
Travelling charges as maſter of the ordnance,	1,825
Colonel of the foot-guards, being twenty-four companies,	2,000
Penſion,	5,000
From the United States as general of their forces,	10,000
From the foreign troops in Engliſh pay, ſixpence per pound,	15,000
For keeping a table,	1,000
	£. 54,825

Offices, &c. of the Ducheſs.

Keeper of the great and home parks,	£. 1,500
Miſtreſs of the robes,	£. 1,500
Privy purſe,	1,500
Groom of the ſtole,	3,000
Penſion out of the privy purſe,	2,000
	£. 9,500

The ſtates-general, after the battle of Blenheim, preſented the duke a bank bill of £. 50,000. The eſtate of Woodſtock, the houſe of Blenheim, and pictures and jewels, of immenſe value, were preſented to him and the ducheſs by the queen, and £. 5,000 was granted, by way of portion, to each of the duke's daughters. The preſents which the duke received from the emperor, the king of Pruſſia, the elector of Hanover, and other courts, which cannot be ſo preciſely calculated, amounted to an immenſe ſum. Collins's Peerage, vol. i. p. 197.

[22] Conduct of the Ducheſs of Marlborough, p. 174. Memoirs of the Conduct of her late Majeſty, p. 17. Lond. 1715.

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the empty name and formality of power, and by a bitter ſenſe of the ingratitude of the perſon who had forged her chains [23].

Various circumſtances had been gradually conſpiring to accelerate the criſis, ſo ardently wiſhed for by the ſovereign. Mr. Harley was too conſcious of the ſuperiority of his own abilities, and had acquired too great a ſtock of independent reputation, to continue a ſubordinate member of any adminiſtration. It was his favourite maxim, that the name of party ought to be aboliſhed, by ſelecting for the public ſervice, indiſcriminately, the wiſeſt and moſt virtuous perſons, whatever their political denominations or connexions might be [24]; a maxim, which, though it be founded on ſpecious arguments, can only be conſtrued as a doubtful teſt of the liberality and independence of the perſon who holds it, as it may be made ſubſervient to private ambition, as often as to general utility. It has been inſinuated, that Mr. Harley was not inſenſible to feelings more ignoble than thoſe of ambition; and that the contempt and indignity, with which his aſſiduous civilities to the ducheſs of Marlborough were repaid, contributed, in no ſmall degree, to his ſeparation from the junto [25], and to that marked animoſity againſt the Marlborough family, which appeared in the future courſe of his political life [26]. From whatever cauſe it aroſe, there can be no doubt that, after the meeting of the ſecond parliament, Mr. Harley began to cheriſh the idea of inde-

[23] Other Side of the Queſtion, paſſim. Memoirs of the Conduct of her late Majeſty and her Miniſters, p. 16, &c. Pamphlets of the times.

[24] Other Side of the Queſtion, p. 223. *Appendix*, N° xv.

[25] Under the deſignation of the Junto, I refer to the duke of Marlborough, the earl of Godolphin, and their adherents in the cabinet, after the diſmiſſion of the earl of Nottingham and the earl of Rocheſter. This name was firſt given to the whig lords, who oppoſed the meaſures of government for ſome time after the meeting of the ſecond parliament of the queen, becauſe they ſuſpected that the perſons above mentioned were ſtill addicted to tory principles. The rejection of the bill againſt occaſional conformity, the meaſures purſued for ſecuring the proteſtant ſucceſſion, and at length the important tranſaction of the union, removed entirely the ſuſpicion of the old whigs, who ever after acted in concert with the general and treaſurer, both while they continued in power, and after they were deprived of it. Conduct of Parties, p. 8. 14. 1712.

[26] Cunningham, vol. i. p. 461. Conduct of the Ducheſs of Marlborough, p. 191, &c.

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pendent influence, and to project a complete change of administration. Many circumstances concurred to operate against the interest of those who were now in place, and to flatter his expectations of success.

He was no stranger to the uneasiness which the queen discovered under the abuse and tyranny of a domineering favourite; and he
1706. knew that she had grown weary of the war which upheld the authority of the present ministers [27]. The repeated defeats of the armies of the French king, and the exhausted state of his finances, afforded ground to hope, that overtures would soon be proposed by him, which, with the assistance of the moderate or middle party in both houses, might be made the basis of a general pacification [28]. This party had lately acquired strength and popularity from the result of several parliamentary discussions, nearly affecting the conduct of the ministers. From the inquiries which had been often introduced in parliament, with respect to the conduct of the allies, and the general management of affairs in Spain, it appeared that an unjustifiable preference had been given to the war in the Netherlands, redounding directly to the profit and fame of the general, and the benefit of the allies. The neglect of the fleet was a constant topic of complaint. The heavy losses, which the mercantile interest incurred by the capture of their ships, excited discontents; while feeble and abortive expeditions against the colonies of France and Spain afforded no balance of consolation, from any prospect of the future extension of trade. The exportation of specie for paying the English troops on the continent, from which no part of it returned, threatened a deficiency of cash at home, while the allies were enriched by its increasing circulation among them. These complaints, from being long and vehemently insisted upon, and greatly exaggerated, came at length to make a deep impression not only upon the body of the

[27] Memoirs of the Conduct of her late Majesty, passim.
[28] Tindal, vol. vii. p. 137.

people,

people, but upon diſpaſſionate, reflecting perſons, firmly attached to the welfare of their country [29].

There are few examples of party men being ſo candid and generous as to diſtinguiſh between well founded and imaginary, or rational and popular objections to the conduct of their antagoniſts; or to decline the uſe of any weapon, though leſs fair and honourable, that may be ſucceſsfully employed for the promotion of their own political ſuperiority. The danger of the church we can hardly ſuppoſe to have been ſeriouſly apprehended by any perſon of ſound underſtanding; but it was well adapted for inflaming the paſſions of thoſe who were attached to the eſtabliſhment, and therefore artfully called in as an auxiliary for demoliſhing the miniſterial fabric which the favourite had erected [30].

The enemies of adminiſtration were not without hopes of deriving ſtrength from the diſaffection and apoſtacy of individuals of that very party in whoſe ſupport the ruling politicans confided [31]. Some of the whigs began to grow impatient for the recompence of their ſervice; and many of them entertained doubts with reſpect to lord Godolphin's converſion to their principles. The act of ſecurity in Scotland, aſcribed to his influence, was conſidered as an indirect and inſidious meaſure for defeating the Hanoverian ſucceſſion [32]. In order to remove every ſuſpicion againſt himſelf, as well as to reclaim the revolted whigs, lord Godolphin was under the neceſſity of clearing the adminiſtration from every remnant of toryiſm [33]. Sir Charles Hedges was diſmiſſed, and Lord Sunderland made ſecretary of ſtate in his room; and the inferior offices of government were diſpoſed of according to the ſame political diſcrimination. In the liſt of new promotions, however, there appeared the names of per- Dec. 1707.

[29] Life and Hiſtory of Queen Anne, p. 250. Lond. 1749. Great Britain's Union. Somers's Collection, vol. xv. p. 105.

[30] Secret Hiſtory of the late Miniſtry, p. 4. 27. Lond. 1715.

[31] Secret Hiſtory of the October Club, p. 12. Lond. 1711.

[32] Id. Faults on both Sides, Somers, vol. xv. p. 307. Macpherſon's State Papers, 1704—6.

[33] Secret Hiſtory of the October Club, p. 23, 24. Memoirs of Godolphin, p. 347. Lond. 1714.

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ſons who had been conſidered as unfriendly to the church, and the principal patrons of the diſſenters in the preceding reign [34], and hence the cry of the church being in danger broke out with renewed fury. Many of the lower order of the clergy made it the ſubject of their public diſcourſes; and pamphlets were circulated to ſpread the inflammatory poiſon.

Events, which occurred within the walls of the palace, became every day more favourable to the party, which conſpired to undermine the power of the junto. Prince George of Denmark, who had, during the firſt years of this reign, ſupported the influence of the favourites, mortified with a ſenſe of his real inſignificance, notwithſtanding his nominal dignity and relative grandeur, ſympathized with the feelings of his conſort; and grew diſpleaſed with his colleagues, who ſuperſeded his authority, and proſtituted it to the private intereſt of their miniſterial friends [35].

The queen, nurtured in all the bigotry of high church principles, was but too ſuſceptible of the epidemical panic foſtered by the party in oppoſition. She had warmly patroniſed the bill againſt occaſional conformity; and though her zeal had cooled, on account of the perſonal indignities which ſhe received from ſome of the tories, the ſmalleſt ſpark was ſufficient to rekindle it, and to alienate her confidence from miniſters, who ſeemed averſe or even indifferent to an intereſt which was ſo dear to her. It is but candid, at the ſame time, upon the teſtimony of thoſe who had beſt acceſs to know the genuine ſentiments of the queen, to give her credit for motives of diſguſt with her miniſters, more praiſe-worthy than thoſe which proceeded from perſonal reſentment or enthuſiaſtic zeal. The joy, which ſhe derived from the triumph of her arms, was far from being pure and untroubled. Illuminations, proceſſions, and all the exterior and tumultuary demonſtrations of popular joy and congratulation, formed a poor recompence for the grief with which ſhe was afflicted,

[34] Cunningham, vol. i. p. 351.

[35] Tindal, vol. vii. p. 322.

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on account of the profuſion of the blood of her ſubjects, and the havock of the human ſpecies, which were the price of every victory. Under theſe impreſſions, ſhe ardently wiſhed for a peace, to which the inclinations of her miniſters were far from being favourable [36].

From the ſeveral cauſes now mentioned, the ſovereign, as well as a numerous and reſpectable body of her ſubjects, were in their hearts ill affected to that combination which had ſo long ruled in the cabinet. But the inclinations of the ſovereign, who was naturally timorous and reſerved, might long have remained ſmothered within her own boſom, if domeſtic occurrences had not preſented an opportunity of making them known, and of concerting meaſures for breaking the yoke with which ſhe was galled.

The ducheſs of Marlborough, from that jealouſy which is naturally inſpired by the conſciouſneſs of abuſed indulgence and perverted power, was careful to exclude, from acceſs to her miſtreſs, every perſon whom ſhe had not pre-engaged in her own intereſt by the ties of gratitude, or the hopes of reward. Mrs. Abigail Hill, ſo much celebrated for her intrigues in the cabinet, was conſidered, on account of near affinity and obligations to the ducheſs, to be immutably devoted to her intereſt. The mother of this lady, reduced to ſtraitened circumſtances, had made application for the patronage of the ducheſs of Marlborough, who was her couſin, and who not only relieved her immediate wants by pecuniary ſupplies out of her own purſe, but, by intereſting the princeſs Anne and the duke of Marlborough in her behalf, placed her four children, two ſons and two daughters, in eaſy and independent circumſtances. Mrs. Abigail, the eldeſt of the daughters, was taken under her grace's own immediate protection; and afterwards eſtabliſhed in the ſtation of a bedchamber, or dreſſing maid, in the ſervice of the princeſs Anne [37]. The diſpoſitions of this young lady, very unlike her own, were well

[36] Memoirs of the Conduct of her late Majeſty and her Miniſters, p. 9. 12. 14. 27.

[37] Conduct of the Ducheſs of Marlborough, 177, &c.

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fitted to do credit to the recommendation of her patroneſs, and at the ſame time to enſure her acquieſcence and fidelity in the ſtation of a dependent. She was modeſt, unaſſuming, lively, and diſcerning [38]. The demeanor of Mrs. Hill every day gained upon the affection of the queen, and at length obtained the confidence of her heart. In the meekneſs and humbleneſs of her diſpoſition, her majeſty found a retreat from the perturbation, to which ſhe was expoſed from the inſolence and rudeneſs of an ungrateful ſervant. Mr. Harley was the couſin of the young lady's father, but had overlooked his relations during their depreſſed fortune [39]. Having frequent acceſs to the queen upon the buſineſs of his office, he occaſionally met with Mrs. Hill, and was not backward now in recogniſing her as his
1707. couſin. She had at this time begun to loſe ground in the good opinion and favour of her early patroneſs, having deviated from that reſpect to which the latter thought herſelf entitled, by giving her hand to Mr. Maſham ſecretly, and without the conſent of the ducheſs. Reciprocal intereſt and feelings ſuggeſted, to the ſecretary and the new minion, the idea of making a common cauſe, and uniting their efforts for overturning the intereſt of the duke of Marlborough and the earl of Godolphin [40]. Mrs. Maſham had daily opportunities of infuſing into the royal breaſt favourable impreſſions of Mr. Harley, and of introducing him privately into her preſence. The fruits of theſe impreſſions and good offices, ſhe expected to im-

[38] Somers, vol. ii. p. 310. Other Side of the Queſtion, p. 304.

[39] Conduct of the Ducheſs of Marlborough, p. 178.

[40] Idem. The author of the Tranſactions during the Reign of Queen Anne repreſents the duke of Hamilton as the original mover and adviſer of all that now paſſed in the cabinet. "He made offer of his ſervices to the "queen, through Mrs. Maſham, for extricating her from the bondage in which ſhe was "held by the junto: he adviſed her to turn "out lord Godolphin, and recommended Mr. "Harley as his ſucceſſor: he obtained the "queen's confidence, *and frequent and long "were the private audiences, to which he was "admitted to the evident diſquietude of the mini-"ſterial junto.*" P. 53. 70. 96. The name of the the duke of Hamilton, ſo far as I have found, does not once occur in any of the hiſtories of the cabinet politics at this period; and it ſeems ſtrange, that the ducheſs of Marlborough, who was ſo penetrating and vigilant, did not detect his interpoſition, or even entertain the ſmalleſt ſuſpicion of it.

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prove for promoting the ambitious hopes which ſhe now cheriſhed of becoming the prime favourite of her royal miſtreſs, inſtead of continuing a ſervile dependent upon her relation; and, what was ſtill more deſireable than perſonal aggrandizement, of having it in her power to reward the perſon who was the object of her affection with diſtinguiſhed honour. The ſucceſs of the plan anſwered the wiſhes of its projectors. Mr. Harley was often admitted, clandeſtinely, to converſe with the queen [41]. She was pleaſed with the facetiouſneſs of his manners, entertained a high reſpect for his political opinions, and was well diſpoſed to prefer him to miniſterial confidence, as ſoon as ſhe could find the opportunity of purſuing her own inclination.

Mr. Harley was happy to diſcover, that the ſentiments of the ſovereign coincided with his own; and that, above all things, peace was the ardent deſire of her heart, as eſſential to her own freedom, and the public welfare. From the ſignal merits and ſucceſs of the duke of Marlborough, which ſo well entitled him to the ſupreme command in the army, it was not likely that any change of miniſtry could be effected during the continuance of the war, which rendered his friends leſs diſpoſed to liſten to the offers of peace made by the French king [42]. 1706, 7.

Mr. Harley, though he ſtill profeſſed great deference for the general and the treaſurer, exerted his utmoſt addreſs in courting thoſe men who had credit for moderation both among the Whigs and the Tories [43]. There were many, at this time, well diſpoſed to rally

[41] Theſe private intrigues were firſt diſcovered by the imprudent inattention of prince George, and the forward vanity of the new favourite. The queen laboured under an indiſpoſition from a defluxion in her eyes, which happened to be mentioned in the houſe of lords, upon which, the prince ſaid inadvertently, "*that ſhe would ſoon be free from that malady if ſhe did not ſit up too late at nights.*" This occaſioned much inquiry, and led to the important diſcovery of the queen's converſing with a privy counſellor without leave. Life of Bolingbroke, p. 117.

Mrs. Maſham could not reſtrain herſelf from dropping ſome hints of the favour and conſequence to which ſhe had attained. When ſitting for her picture to ſir Godfrey Kneller, ſhe ſaid to him, "*that her majeſty could truſt nobody about her.*" Oldmixon, vol. ii. p. 428.

[42] Hiſtory of the late Miniſtry, p. 255.

[43] Conduct of the Ducheſs of Marlborough, p. 191. 193.

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under the ſtandard of a new political leader. The accompliſhment of a peace was the meritorious bond of their union, and had the full approbation of the ſovereign [44]. The illuſtrious ſucceſs of the duke of Marlborough, in the campaign 1706, raiſed new obſtacles to all their endeavours, and brought about ſuch meaſures in the ſucceeding ſeſſion of parliament, as were calculated to prolong the war, and confirm the power of the exiſting adminiſtration [45]. Not truſting altogether to the effects of parliamentary reſolutions, they judged it neceſſary to augment their official ſtrength, and to call forth the full exertion of the Whig intereſt [46]. In proſecution of this deſign, the diſmiſſion of Sir Charles Hedges, ſecretary of ſtate, and the appointment of the earl of Sunderland to that office, were propoſed to the queen, and occaſioned the firſt open ſtruggle between Mr. Harley and the duke of Marlborough, or between that party in the adminiſtration, which adviſed the queen to peace, and that which was bent on the continuance of the war. The queen was extremely averſe to the diſmiſſion of ſir Charles Hedges, but the importunity and threats of the faction, whoſe ſervices were deemed indiſpenſable in the preſent ſtate of public affairs, conſtrained her to comply with their arrangement [47]. But though the influence of Mr. Harley and his friends was thus oſtenſibly baffled, it was not ſuppreſſed; and many circumſtances concurred to accelerate the criſis for the manifeſtation of its ſuperiority and triumph.

3d Dec. 1706.

[44] Other Side of the Queſtion, p. 398. The part which Mr. Harley was now acting, exhibits a ſcene of diſſimulation and duplicity, for which neither his ſympathy with the ſovereign, nor the unjuſtifiable conduct of the junto to her, nor the goodneſs of the end which he had in view, ſuppoſing that to be admitted, can afford any apology. He not only maintained the external profeſſion of reſpect for the duke of Marlborough and lord Godolphin; but continued, in his private correſpondence, to give them the moſt ſolemn aſſurances of his affectionate attachment to their perſons, while he was uſing every art to undermine their influence with the queen. *Appendix*, Nos XIV. XV. XVI. XVII. XVIII. XIX. XX. XXI.

[45] Journals, Lords and Commons, September, December 1707, January 1708, paſſim.

[46] Tindal, vol. vii. p. 188.

[47] Conduct of the Ducheſs of Marlborough, p. 160. If we may believe the ducheſs of Marlborough, the duke and the earl of Godolphin did not approve of lord Sunderland's promotion, but were preſſed by the Whigs to urge it. Conduct of the Ducheſs of Marlborough, p. 161. It is difficult to believe that the duke was ſincere in oppoſing the preferment of his own ſon-in-law, eſpecially as his lady was for it.

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The diſguſt of the queen at the ducheſs of Marlborough was ſtill farther increaſed by the keen part the latter had taken in the late conteſt in the cabinet, relating to the diſmiſſion of ſir Charles Hedges. Conſcious of having forfeited all pretenſions to the confidence of her miſtreſs, ſhe had recourſe to menaces and recriminations, to deter her from yielding to the ſtrong impulſe of her own judgment and affections[48].

The campaign 1707, after expectation had been wound up to the higheſt pitch, having proved unfortunate for the allies, and, by adding nothing to the glory of the duke of Marlborough, detracted from his influence and popularity, and brought upon him the reproach of ſober and reflecting men, for having let ſlip an opportunity of making peace upon more honourable terms, than were likely to be obtained by the prolongation of the war.

The animoſity of parties became now ſo ſharp and impetuous, that it was evident no reconciliation could take place between them; and, from the circumſtances already mentioned, the Tories would certainly have prevailed, if an extraordinary event had not occurred, which undeſervedly brought diſgrace upon Mr. Harley, and added new ſtrength and ſecurity to his antagoniſts.

To invalidate the forcible arguments for peace, which were every day gaining ground, endeavours were uſed to bring ſuſpicions upon the party who were friendly to it, by giving them the odious appellation of the *French faction*; and inſinuating that ſome of them held a correſpondence with the court of St. Germains[49]. The rumour of

[48] Conduct of the Ducheſs of Marlborough, p. 165.

[49] Oldmixon, paſſim. The want of candour in partiſans is at all times remarkable, but never was more ſo than in this reign. The two great parties, Whigs and Tories, were nearly equal, and alternately triumphed. The minor parties were the Jacobites, including the Roman Catholics; and the Republicans. The former, in every great ſtruggle, ſupported the Tories; and the latter, namely the Republicans, ſupported the Whigs. Hence the great parties came reciprocally to aſperſe each other, with the odious name of the minor, or ſubaltern one, adventitiouſly attached to it.

The ſubdiviſions of parties were almoſt innumerable; there were State Whigs and Church Whigs, State Tories and Church Tories, King William's Tories and King James's Tories; Court Whigs and Country Whigs, King William's Churchmen and King James's Churchmen. Dangers of Europe, p. 21. London, 1702.

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an intended invaſion of Scotland by the Pretender, and the certainty of his having many friends there, gave a colour to every ſurmiſe propagated to the diſadvantage of thoſe who oppoſed the miniſters. While the minds of the people were agitated with alarm, a letter from one of Mr. Harley's ſecretaries, diſcovering to the court of France the plans of miniſtry relative to the war, was intercepted by the duke of Marlborough, and tranſmitted to the court of England [50]. Although the circumſtances of this affair were inveſtigated with rigid ſcrutiny, and no ſhadow of crimination appeared againſt the ſecretary; although Gregg, when tampered with in priſon, uniformly acquitted his maſter, and ſolemnly confirmed his teſtimony with his dying breath; yet the torrent of ſuſpicion run ſo ſtrong againſt Mr. Harley, that he and all his friends were forced to reſign their offices, and to relinquiſh to the Whigs the complete undiſputed monopoly of adminiſtration [51]. The queen had the mortification to find, that after reaching the verge of emancipation, ſhe was again thrown back into captivity, which was not likely to be alleviated by her recent efforts to eſcape from it.

11th Feb. 1708.

Neither the meaſures of adminiſtration, nor the public conduct of either party, recited in the preceding chapters, exhibit any ſymptoms of favour to the exiled prince. On the contrary, almoſt in every ſeſſion of parliament, ſomething was done, which, by immediate or remote conſequence, promoted the ſecurity of the proteſtant ſucceſſion, and the intereſt of the houſe of Hanover. Hence the intrigues of the Pretender, like a prohibited or contraband trade, were

[50] Journals Lords, 18th March 1708. It appeared upon his examination, that Gregg had ſent different letters to Monſieur Chamillard, informing him of the proceedings of parliament relating to the augmentation of our troops; and that he had incloſed a copy of a letter from the queen to the emperor, &c.

[51] Tindal, vol. vii. p. 371. Cunningham, vol. ii. p. 133. Mr. Henry St. John, ſecretary at war; ſir Thomas Manſel, comptroller of the houſehold; and ſir Simon Harcourt, attorney-general, who had come in with Mr. Harley, laid down their reſpective employments upon his diſmiſſion. Mr. Walpole, whoſe political life afterwards became ſo intereſting, was now introduced into office by being appointed Mr. St. John's ſucceſſor.

Mr. Henry Boyle was made a member of the privy council, and appointed one of her majeſty's principal ſecretaries of ſtate in room of Mr. Harley.

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carried on in a clandeſtine manner, and with great riſk and danger to the perſons engaged in them. But neither from this circumſtance are we free to conclude, that profeſſions of friendſhip made to him were more ſincere and more to be truſted, than thoſe which were made to the heirs deſtined by the act of ſettlement. Conſidering the natural pretenſions of the exiled prince to the crown, his affinity to the reigning ſovereign, the variableneſs of factions, and the contingency of all political ſchemes, his friends had no reaſon to look upon his cauſe as deſperate; nor is it to be ſuppoſed, that thoſe who were guided ſolely by intereſt could be indifferent as to the opinion entertained at the court of St. Germains concerning their private ſentiments and attachments. Agreeably to this obſervation, we ought to be ſcrupulous about admitting, promiſcuouſly, the moſt ſolemn profeſſions of friendſhip to either of the rival families, and far leſs verbal declarations, repeated at ſecond hand, as authentic documents of the true principles and wiſhes of the perſons to whom they are aſcribed. The real ſtate of what may be called clandeſtine politics, which has been brought to light by late publications, is a ſubject of conſiderable intereſt, not only becauſe it gratifies curioſity, but becauſe it materially conduces to a juſt appreciation of characters, and the explanation of public tranſactions which fall within the period of this hiſtory.

From the general ſubſtance of the Stuart papers, coincident with the period already treated of, it appears, that the court of St. Germains did not entertain confident expectations of placing the prince on the throne of England, during the life of his ſiſter, and that their intrigues were principally intended for ſecuring to him the ſucceſſion at her death. For this purpoſe, the agents of James were inſtructed to keep alive the hopes of his friends by aſſurances of his unſhaken and grateful attachment to them; of his firm and reſolute purpoſe to maintain his right; and to repreſent, in the ſtrongeſt view, all thoſe circumſtances ariſing from the ſtate of domeſtic and foreign affairs, which ſeemed favourable to his ultimate ſucceſs. Great pains were

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were taken to inculcate general impreſſions of the goodneſs of his diſpoſitions, of the ſoundneſs of his political principles, and particularly of his veneration for the Britiſh conſtitution [52].

The names of the duke of Marlborough and of lord Godolphin frequently occur in the memorials drawn up at the court of St. Germains, and in the letters written by its agents to their Engliſh friends. The good offices of thoſe noblemen are ſometimes ſuppoſed or taken for granted from the obligation of their repeated promiſes and declarations, but more frequently doubts are expreſſed concerning their fidelity and affection. No letter from the duke of Marlborough or lord Godolphin is inſerted in the collection of the Stuart papers hitherto publiſhed; nor indeed is there the moſt diſtant reference to any letter or paper tranſmitted to St. Germains in their name, or to any voluntary declaration or promiſe of friendſhip made by them within the period already illuſtrated [53].

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[52] Macpherſon's State Papers, 1702, 3, &c. paſſim. The ſtrongeſt aſſurances were given of the reſolution of the exiled prince to govern ſtrictly according to law if he ſhould have the good fortune to return to England; and, though no hope is ſuggeſted of his renouncing the Roman Catholic faith, yet he ſolemnly pledges himſelf to conſent to every proviſion for the ſafety of the eſtabliſhed church, with the laudable exception of abſtaining from the perſecution of any ſect.

[53] The author of the Tranſactions during the Reign of Queen Anne, refers (p. 59) to a letter from lord Godolphin to the court of St. Germains, re-aſſuring them of his *undiminiſhed attachment to their cauſe*; and to another from the duke of Marlborough, "in which "he renewed his hypocritical profeſſions of "zeal for the Pretender: he had even the "barefacedneſs to attribute the rejection of "the propoſal for peace, lately made by the "French king, to their not comprehend-"ing any ſtipulation in that prince's behalf." Mr. Hamilton does not mention the date of theſe letters.

I am informed by principal Gordon of the Scotch college, Paris, who has had the opportunity of inquiring minutely about this ſubject, that the duke of Marlborough never wrote a ſingle letter to St. Germains in his own hand, except one. They were all ſigned by him, but ſent back, after copies of them were made out.

From the general ſtrain of the Stuart papers, it appears that the duke of Marlborough and the earl of Godolphin had become exceedingly cautious and reſerved in expreſſing their attachment to the exiled family; and that the latter eſpecially conducted himſelf with a ſhyneſs and myſtery, which almoſt extinguiſhed every hope of his future good offices. See Extracts from Lord Caryll's Letters, February, March, and April 1703; from the ſame, May 1704, October, November 1705, and March, &c. 1705.

It was conſidered as an unfavourable ſymptom of lord Godolphin's diſpoſition, that he had not employed his official influence as far as he might have done, conſiſtently with his own ſafety, for procuring the arrears of the queen's jointure. Idem.

The inveterate hoſtility of the ducheſs of Marlborough

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The conduct of the duke of Marlborough and lord Godolphin, with reſpect to the court of St. Germains, will not be admitted by ſuch as have impartially inquired into it, either as any true criterion of their principles or attachments. They certainly had a bias for the abdicated family; but their own intereſt was the compaſs by which they uniformly ſteered their political courſe. Like the mariner, who launches into the ocean without any preciſe deſtination, determined to enter whatever port he can make with the faireſt proſpect of gain, they meant to reſerve themſelves entirely for political caſualties, not more certain, than the variable elements which retard or accelerate the progreſs of the mariner, and finally blaſt or promote his hopes. In their intercourſe with the friends of the unfortunate prince, they were cautious not to furniſh any grounds for future reſentment or excluſion againſt themſelves; they ſaid as much as might have been interpreted an evidence of the conſtancy of their attachment, provided it could be connected with actual ſervices, which the criſis of events might afterwards render it their intereſt to perform.

The influence, and endeavours of the agents of James in England, were directed to forward ſuch meaſures as appeared moſt favourable to the intereſt of that party, which they believed to be beſt affected to him, and to thwart ſuch as tended to ſtrengthen the friends

Marlborough to the family of Stuart is mentioned as deſtructive of all hopes of aſſiſtance from her huſband, though his inclinations had been more favourable than they really were. Caryll's Letters, April, May, &c. 1705. For theſe reaſons, as well as from former experience, the agents of James expreſs a diſtruſt in the friendſhip of Marlborough and Godolphin (Id. Auguſt, October, December 1702, April, &c. 1704 and 1705); and they found their concluſions upon this ſtriking fact, that they were the authors of thoſe very meaſures which militated againſt the ſucceſſion of the prince upon the event of the queen's death; and that they poſſeſſed the power, if they really had the inclination of reſtoring him. Id. November, &c. 1706, February, &c. 1707.

We find an extract from Carte's Memorandum book, containing an anecdote of lord Godolphin's having expreſſed to the earl of Arran his ſincere friendſhip for the king, and his being turned out before he had reſtored him. Carte was a man of a violent temper, credulous and ſanguine; and his anecdotes, as I have been told by principal Gordon, are not generally credited by the friends of the houſe of Stuart. See alſo Biographia Britannica, article Carte.

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of the houſe of Hanover, and to increaſe the ſecurities for its ſucceſſion [54]. Theſe agents expreſſed great ſatisfaction in the predominant power of the tories at the commencement of this reign, as if it had been propitious to their hopes: they entered with anxious ſolicitude into the attempts for prolonging the period of taking the oath of abjuration, and promoting the bill againſt occaſional conformity; and were deeply mortified by the miſcarriage of theſe meaſures [55]. Their moſt vigorous exertions were employed for promoting the act of ſecurity in Scotland, and preventing the union [56].

The act of ſettlement alone, not only went far to enſure the ſucceſſion of the houſe of Hanover, but gave ſuch a turn to the ſtream of public meaſures and party intrigues, as contributed to the progreſſive accumulation of its ſecurities. The tories, conſcious of the ill impreſſions, with reſpect to their principles, which had obtained at the court of Hanover, and lying under the conſtant ſuſpicion of the people at home, ſtrove to outdo the whigs, not only by the oſtentation of zeal, but by the promotion of efficient meaſures for fencing the proteſtant ſucceſſion. The ſuſpicion of a conſpiracy in Scotland rendered the friends of the pretender more timid and reſerved; ſtifled the affection of the queen, and probably prevented her connivance at clandeſtine meaſures and intrigues for paving the way to the ſucceſſion of her brother [57].

The war gave occaſion to frequent interviews and communications between the electoral court and the duke of Marlborough, which produced reciprocal declarations of eſteem and friendſhip; and, together with the turn of domeſtic politics, opened to him and his friends the moſt certain proſpects of advantage from their ſteady adherence to that intereſt which they profeſſedly eſpouſed [58].

[54] Stuart's Papers, 1704.

[55] The friends of the houſe of Hanover entertained the ſame opinion of theſe meaſures, and were as anxious to prevent them, as the agents of James were to promote them. Hanoverian Papers, paſſim.

[56] Stuart's Papers, 1707.

[57] Id. 1703, 4.

[58] Hanoverian Papers, 1704, 5, 6.

The

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The affairs of Ireland, during the early period of this reign, afford the hiſtorian no variety of intereſting materials. While a ſpirit of inſurrection was fomented among the Roman catholics, by the extreme jealouſy and rigour of the government, the proteſtants were far from being proſperous or contented with their civil condition. The reſtrictions impoſed upon trade, and the non-reſidence of the moſt wealthy proprietors, occaſioned a general languor in manufactures, and increaſed the number and hardſhips of the poor. The frauds and oppreſſions, committed by the truſtees on the forfeited eſtates, invaded the property, and ſoured the diſpoſitions of ſome of the firmeſt friends to the proteſtant intereſt. The inquiries concerning the characters of landholders, and the titles by which they held their eſtates, were conducted with an invidious ſcrutiny, which expoſed many loyal ſubjects to the vexation of dilatory and expenſive litigation [59]. The benefit of the moſt lucrative purchaſes was engroſſed by corporations and private perſons in England, who returned no part of their profits to the country from which they were drawn [60].

In this ſituation, Ireland might have proved an alluring ſcene for the intrigues of the court of St. Germains, if a dread of being overpowered by the Roman catholics had not kept the proteſtants in continual awe; and made them cling to the ſiſter kingdom as the only ſource of protection. Hence they maintained the firm language of loyalty, and imputed their grievances to the mal-adminiſtration of deputies, rather than to any ill intention of the court and miniſters. Their complaints were therefore pointed ſolely againſt the former, who, in their turn, recriminated and repreſented the freeholders as backward to co-operate in the detection of guilt, and even as beginning to cheriſh thoughts of independence on England [61]. Conformable to the general diſpoſitions of the freeholders

[59] See Repreſentation of the Commons, 20th October 1703.

[60] Hiſtory of the Life and Reign of Queen Anne, p. 96.

[61] Tindal, vol. v. p. 288.

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were the meaſures purſued by their repreſentatives in the three ſeſſions of parliament, which met at diſtant intervals within the period I have ſurveyed.

1703. In the firſt ſeſſion, which opened under the lieutenancy of the duke of Ormond, on the 21ſt Sept. 1703, the commons unanimouſly made choice of Allan Broderick, her majeſty's ſolicitor general, to be their ſpeaker, and addreſſed the queen, and the lord lieutenant, in the warmeſt expreſſions of loyalty; but complained of thoſe miſrepreſentations of the conduct of the freeholders, which had been tranſmitted to the court of London. They diſavowed all thoughts and deſire of independence, and in the moſt explicit terms acknowledged the crown of Ireland to be annexed to that of England. While they declared their abhorrence of the proceedings of the truſtees on the forfeited eſtates, they guarded againſt any reflections diſreſpectful to the authority under which they acted [62]. The commons formed reſolutions in the ſpirit of their addreſs, and cenſured ſome of their own members for having been acceſſary to the calumnies of which they complained [63]. They cheerfully granted
1703. the ſupplies neceſſary for defraying the expences of the eſtabliſhment, and acquitted themſelves with fidelity to their conſtituents, by objecting to ſome erroneous ſtatements of public accounts; and by cutting off unmerited and extravagant penſions, which ſaved the nation above a hundred thouſand pounds per annum [64]. They followed the ſteps of the Engliſh parliament for ſecuring the proteſtant

29th Sept. 20th Oct.

[62] Journals of the Houſe of Commons of Ireland, 25th, 29th September.

[63] Id. 26th October, 2d November. Mr. Francis Anneſly one of the members, who came under this cenſure, was expelled the houſe; Mr. Trenchard fled to England; Mr. Hamilton died before the meeting of the ſeſſion.

[64] Id. 30th September 12th, 14th, 19th, 22d, 25th October, 10th November. They voted a ſupply of a hundred and fifty thouſand pounds per annum for two years from Michaelmas 1703. A tax of four ſhillings per pound was laid on all ſuch penſions and grants as had been found an unneceſſary charge to the revenue. They preſented an addreſs to the lord-lieutenant, complaining of the miſchiefs under which the kingdom laboured by the abſence of judges, commiſſioners of the revenue, and others holding offices which required perſonal attendance, praying that all ſuch in future might be required to attend upon their duty or removed.

ſucceſſion;

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ſucceſſion; and brought in bills for extending the oath of abjuration, and making it high treaſon to impeach the ſucceſſion, as limited by former acts of parliament. The ruling ſpirit of both houſes was conſpicuouſly manifeſted by the tenor of their proceedings againſt the Roman catholics. A bill paſſed in the upper houſe for preventing popiſh prieſts coming into the kingdom, and readily obtained the approbation of the commons. But not thinking this ſufficient, the latter brought in a bill to prevent the growth of popery, which, in the certainty of its execution and the ſeverity of its effects, exceeded that of England in the year 1700; and to atteſt the ardour of their zeal, after it had been paſſed by the lords, the whole houſe attended the preſentation of it to the lord lieutenant[65]. To juſtify the ſeverity of this act, a petition was preſented to the lord mayor and citizens of Limerick, complaining of the injuries which they ſuſtained from the number of the Roman catholics there; and it was at the ſame time repreſented from different parts of the country, that a correſpondence was carried on between the Roman catholics and the pretender, to the great danger of the proteſtant ſettlement. A proſecution was inſtituted by the commons againſt the publiſher of the memoirs of the late chevalier, which had contributed to inflame the enthuſiaſm, and animate the hopes of the diſaffected. The ſudden adjournment of the parliament interrupted the career of their anti-catholic zeal; and excited a ſuſpicion that it did not meet with the approbation of the lord lieutenant.

4th, 5th, 14th October.

30th Sept.

13th Nov.

27th.

The Engliſh miniſtry, from motives of policy as well as juſtice, were unwilling to furniſh their Roman catholic allies, at this time,

[65] In order more effectually to prevent the children of Roman catholics being ſent abroad and educated in the Roman catholic religion, agreeably to a former act of the ſeventh of king William, it was to be enacted, that, upon the ſuppoſition of any child being ſent abroad, any of the judges of her majeſty's courts, or any two juſtices of the peace, ſhould be empowered to require the parents or guardians to produce the ſaid child within the ſpace of two months; and, that if this was not done, they ſhould be deemed convicted, and incur all the penalties preſcribed by the former act. Severe penalties were to be inflicted upon proteſtants who married papiſts; and that no Roman catholic family of fortune might remain, it was to be alſo provided, that all eſtates ſhould be equally divided among the children of papiſts. Journals Commons, 19th November.

with

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with any ground for complaining of their ſeverity to that ſect, which might have provoked a retaliation upon the foreign proteſtants. That they might defeat the bill which had been preſented to the lord lieutenant, without appearing to the Iriſh proteſtants to have ſlackened in their zeal againſt popery, a clauſe was inſerted by the council, requiring all perſons in office in Ireland to take the ſacrament according to the teſt act paſſed in England. The miniſters expected, that the bill would have been rejected with this qualification, for the ſake of the proteſtant diſſenters, for whom the commons had of late profeſſed great charity and kindneſs. But antipathy to the Roman catholics prevailed, and the bill took place contrary to the wiſhes of the miniſtry[66].

23d Feb. 1704.

The parliament was prorogued on the 4th of March to the 25th of Sept. 1704.

Although, from local ſituation, the attention of the Iriſh freeholders was principally occupied about the Roman catholics, yet from the connexion many of them had with England, it was hardly to be expected that they could eſcape ſome tincture of the party ſpirit which raged there. The earl of Clarendon, himſelf a keen partiſan, had, during his adminiſtration, introduced the diſtinction

1685.

between whig and tory, till then unknown in Ireland. As he ſeldom reſided in that country, and as his government was unpopular, he made ſmall progreſs in his ſcheme of ſubdividing parties; and *proteſtant* and *whig* continued to be underſtood as ſynonimous terms. There were, however, ſeveral clergymen of high church and tory principles, who had been promoted to benefices under the patronage of the earl of Clarendon, and afterwards under that of his brother, the earl of Rocheſter; and the removal and diſgrace of the latter rendered them readily diſpoſed, when an opportunity ſhould

[66] Tindal, vol. v. p. 302. Several bills were brought in for the improvement of the country, encouraging manufactures, and extending the trade of Ireland; but meeting with no encouragement from the miniſtry, were ſuppreſſed. An act paſſed for naturaliſing proteſtant ſtrangers, and another for reducing the intereſt of money to eight per cent. Journals Commons, paſſim.

occur,

occur, to purſue that factious conduct which was exemplified by many of their brethren in England[67].

1705. The proceedings of the next ſeſſion of the Iriſh parliament, which was opened by the duke of Ormond, on the 10th of February 1705, entirely correſponded with the views and wiſhes of the Engliſh miniſtry. The commons congratulated her majeſty upon the ſucceſs of her arms under the duke of Marlborough; and declared their firm reſolution, ſhould any difference ariſe between England and Scotland, to adhere to the former, and to maintain the ſucceſſion in the proteſtant line, againſt all who attempted to diſunite the two kingdoms. An ample ſupply was voted for ſupporting the neceſſary branches of the eſtabliſhment for two years, commencing the 29th September 1705, and ending the 29th September 1707. 6th March. £. 250,000.

A bill, which originated with the commons, for the improvement of hempen and flaxen manufactures, afforded to the high church clergy the opportunity they wiſhed for, of diſcovering a congenial ſpirit with thoſe of the ſame party in England. The convocation, without permiſſion previouſly aſked, preſented a memorial to the commons, remonſtrating againſt the limitations of their tithes, which was one of the objects of the new bill; and deſired that it might not paſs till the reaſons they had to offer againſt it were heard. The lower houſe, conſidering this as an attack upon their legiſlative authority, reſolved, that they were the only repreſentatives of all the commons in Ireland, intruſted with the civil rights of the clergy as well as laity; and that no perſon or body of men had a title to be heard againſt any bill, but after leave obtained by petition[68]. The memorialiſts not meeting, at this time, with countenance from any of the laity of rank and influence, abandoned a diſpute which might have proved hurtful to their characters and intereſt. They formally diſavowed any intention of invading the rights of the houſe of commons; and pleaded their want of experience, from the long ſuſpenſion of con- 1705. 16th and 19th March.

[67] Tindal, vol. v. p. 282, 3.

[68] Journals Commons, 12th March.

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vocations, as an apology for the improper method of making their application in an affair that ſo nearly concerned the rights of the church. This ſubmiſſion, on the part of the clergy, ſeems to have ariſen from their being overawed by the miniſterial authority, rather than from any renunciation of thoſe principles which had originally betrayed them into the conteſt. For, while the houſe of commons were uſing their endeavours to mitigate the grievances of the proteſtant diſſenters, and to unite all the different proteſtant ſects in one intereſt, the clergy of the above deſcription were doing all they could to counteract that meritorious deſign, both in their collective and private capacity. This conduct induced the commons to enter into ſuch reſolutions as were expreſſive of their diſpleaſure, and their apprehenſions of the dangerous conſequences of promoting any jealouſy or miſunderſtanding among the proteſtants, while they teſtified at the ſame time their zeal for the peculiar honour and intereſt of the eſtabliſhed church [69].

On the 15th of June, the parliament was prorogued to the 30th; and afterwards from time to time, to the 1ſt of July 1707.

The decided ſuperiority of the whigs in England, together with the prudent attention of adminiſtration, checked the progreſs of toryiſm, and overawed the efforts of its eccleſiaſtical champions in Ireland. We hear nothing of the interference of the convocation during the next ſeſſion of parliament, which was opened by the earl of Pembroke, as lord lieutenant; and both houſes proceeded without interruption in that courſe of buſineſs, which was ſuggeſted by their preſent feelings, and by motives of public intereſt.

7th July, 1707.

[69] Journals Commons, 25th May, 1ſt June. Tindal, vol. vi. p. 166. The extreme oppreſſion and miſery, endured by the Iriſh, cannot be repreſented in ſtronger colours than by the bare detail of facts which appear in the journals of parliament. Multiplied inſtances occurred almoſt every ſeſſion of the abuſe and perverſion of power by magiſtrates and juſtices of peace; the frauds of contractors, and the monſtrous cruelties inflicted by officers in the recruiting ſervice, which exhibit a complexion of manners little removed from barbariſm. See particularly the proceedings of the commons on the complaint and petition of Agmondiſham Cuffe againſt major Francis Flood, a member of the houſe of commons, 7th June 1705; and on the petition of Euſtace Sherlock againſt Maurice and John Anneſly, 9th June.

A bill

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A bill was introduced in the houſe of commons for ſtrengthening the proteſtant intereſt, which was afterwards rejected, not from any diſapprobation of its principle, but becauſe it exceeded in ſeverity, and was intended to impoſe great hardſhips upon the deſcendants of popiſh families who ſhould afterwards embrace the reformed religion. Its purpoſe was in ſome meaſure ſuperſeded, and an additional check impoſed upon the growth of popery, by a reſolution of the commons, finding, that the indulged popiſh prieſts were bound to take the oath of abjuration according to the exiſting laws, and that it was the duty of all judges and magiſtrates to carry them into execution.

While the tory miniſters were in place, the Iriſh proteſtants were agitated with conſtant apprehenſions on the ſcore of popery, which confined the attention of parliament principally to that ſubject, and rendered it cautious not to introduce any buſineſs ever ſo remotely tending to excite the jealouſy of the Engliſh government. The alarm on this ground was entirely removed by the eſtabliſhment of the whig intereſt in England, and the ſtrongeſt aſſurances from the lord lieutenant, who was devoted to it, that the queen was now willing to adopt every expedient for the farther ſecurity of her proteſtant ſubjects. Delivered by the ſame preſiding influence, from the dread of that eccleſiaſtical faction which laboured to divide the proteſtants, the commons now began to aſſume a high tone of patriotiſm, and boldly to enter upon the proſecution of meaſures for mitigating the oppreſſion, and raiſing the internal proſperity of their native kingdom. They reſumed their complaints of miſmanagement and breach of truſt againſt the truſtees for the forfeited eſtates; the ſubſtance of which, with the facts and proofs neceſſary to ſupport them, were ſtated in an addreſs to the queen, and preſented to the lord lieutenant by ſuch members of the houſe as were in the liſt of privy counſellors [70]. Nor did the commons confine their attention to thoſe evils

7th July.

[70] Journals Commons, 9th, 14th Auguſt From this memorial, it appears that the names of perſons had been inſerted in the liſt of arrears who had receipts for the full payment of their

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evils which aroſe from the ſubordinate agents of government. They aimed at the reformation of abuſes which were traced to the principal perſons in authority, and materially affected their political ſtate. They complained, that the limitations, to which the Iriſh legiſlature was ſubjected by Poyning's law [71], had been often anticipated by their privy council on the ſpot. They reſolved, that the intereſt of the kingdom had been greatly prejudiced by the alterations made by the council board in Ireland on the heads of bills adopted by the parliament; and the total ſuppreſſion of others, tending to the encouragement of their trade and manufactures. They complained of the arbitrary and illegal interference of the ſame authority in matters of election, and with the rights of magiſtrates in corporations [72]. They paſſed a reſolution, that it would greatly conduce to the good of the kingdom, that its inhabitants ſhould uſe none other than the manufactures of Ireland in their apparel and furniture, and the members

29th Oct.

of the houſe unanimouſly engaged upon their honour to adhere to this reſolution.

As theſe ebullitions of an independent ſpirit were provoked by actual grievances, ſo it is probable that they were ſtill farther incited by the recent tranſaction of the union of South and North Britain, and by that national envy which was rouſed by the ſuperior advantages conferred upon Scotland in admitting her to all the benefits of the trade and conſtitution of England [73]. In their addreſs, at the opening of this ſeſſion, the commons congratulated her majeſty upon the

their rents under the hands of the agents employed by the truſtees; and that ſome had been charged for the rent of lands to which they never had entered. In the liſt of adjudged debts, ſome of them were founded upon ſuppoſed breaches of covenants; and others had been paid, or diſcharged by the exchequer. In the liſt of lands ſold, ſome had been twice paid for; and ſome had been ſold by the truſtees without their having any right or authority to diſpoſe of them. Money had often been violently extorted from poor families, by under officers of the treaſury acting as undertakers for clothing the army. Journals Commons, 9th Auguſt, October, &c.

[71] By Poyning's law, no bill could be introduced in the Iriſh parliament, that had not firſt received the approbation of the privy council in England; but it was inſinuated, that the council in England only followed the opinion of that of Ireland.

[72] Journals Commons, 24th October.

[73] Conſequences of the Union with Scotland. London, 1706.

glory

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1707.

glory which ſhe had acquired by accompliſhing the union of the Britiſh kingdoms, and hinted at a more *comprehenſive* union, which would farther redound to the ſtrength and luſtre of her crown[74]. If it was the deſire of the Iriſh freeholders to be incorporated with Britain, which from the above proceedings we may infer to have been the caſe, it offered the Engliſh miniſters the moſt favourable opportunity for exalting the Britiſh empire to its utmoſt pitch of power and glory, by the conſolidation of all its members. But the miniſters, ſuppoſing the intereſt of the proteſtant freeholders in Ireland to be a ſufficient pledge for the ſupport of the Hanoverian ſucceſſion, the darling object of their policy, had not the liberality to grant their fellow ſubjects thoſe benefits, which they conſidered as a deduction from the dignity and profit of the ſiſter country; nor had they the foreſight to diſcern, that, in proportion to the ſecurity of her internal government, and the increaſe of her opulence, Ireland would naturally loſe a ſenſe of her dependence; call in queſtion the ſupremacy of the Britiſh legiſlature; and become adverſe to a meaſure, which, had it been adopted at that criſis, muſt have redounded eſſentially, at this day, to the ſtrength and proſperity of all the united kingdoms. On the 30th of October the parliament was prorogued to the 6th of May 1708[75].

[74] The lords, in their addreſs to the queen, did not refer to the ſubject of the union. Tindal, vol. vii. p. 315. They thought, perhaps, that the peers of Scotland had made a bad bargain, and were afraid of experiencing the ſame fate if the union had been extended to Ireland.

[75] A ſupply of one hundred and thirty-five thouſand pounds was granted for one year and three quarters, commencing 29th September 1707, and ending 24th June 1709. Journals Commons, 1ſt Auguſt 1707.

Several uſeful acts were paſſed this ſeſſion, of which theſe were the principal. An act for leſſening the fees of the ſheriffs on executions; an act for the amendment of the law, and the better execution of juſtice; an act empowering juſtices of peace to determine diſputes between maſters and ſervants, and to puniſh diſorderly ſervants; an act for more effectually preventing the taking away and marrying children againſt the conſent of parents. I mention theſe particularly, becauſe the peruſal of them will give an inſight into the uncivilized manners, the weakneſs of the laws, and imperfect adminiſtration of juſtice in Ireland, at the period under conſideration.

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Effects of the Union on the Temper of the People in both Kingdoms.—First Parliament of Great Britain.—The Queen's Speech.—Inquiry of the Lords into the State of the Navy—of both Houses with respect to the Management of the War in Spain.—Fraudulent Practices of some Merchants after the Union,—brought before the Parliament.—Acts of the Scottish Parliament repealed.—The Privy Council in Scotland abolished.—Report to the House of Lords concerning Gregg.—Message of the Queen relative to the Invasion.—Measures pursued on that Account.—Supplies.—Parliament dissolved.—French Prophets.—Campaign 1708.—State of the Confederacy.—Jealousies and Disagreements subsisting among its Members.—Circumstances favourable to the Military Exertions of France.—Preparations for invading Scotland.—A French Fleet sails for the Coast of Scotland,—pursued by Sir George Byng,—returns to Dunkirk.—Ghent, &c. taken by the French.—Motions of the Count Chemerault,—of the Dukes of Burgundy and Vendosme.—Battle of Oudenarde.—The Lines of Ypres and Lys destroyed by the Confederates,—who raise Contributions in Artois and Picardy.—Progress of the French in Dutch Flanders.—Leffingen, &c. taken by the French.—Brussels invested by the Elector of Bavaria.—Ghent retaken by the Duke of Marlborough.—Campaign on the Upper Rhine,—in Italy,—in Spain,—in Portugal.—Disputes between the Pope and the Emperor.—Naval Affairs.—Death of Prince George of Denmark.—His Character.

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THE affairs of two nations, hitherto divided and often hostile to each other, but now incorporated by the consolidation of their legislature and interests, form a new epoch in our history. The union, which produced this happy effect, was not at first seen in the same favourable light by the two contracting parties; and was least approved of by that which was evidently to enjoy the largest share of its benefits. As soon as the treaty had obtained the ratification of the English parliament, a sullenness and jealousy began to work on the minds of the people in Scotland, as if they had been over-reached

and

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and degraded by the treachery of their conſtituents, and the artifices of the court. While the jacobites and epiſcopalians conſidered the political coalition of the two kingdoms as the ruin of all their hopes, the whigs and preſbyterians indulged ominous apprehenſions of its conſequences, with reſpect to their religious eſtabliſhment, and the independence of the Scottiſh nation [1].

In England, on the other hand, it occaſioned general rejoicing; and the duke of Queenſberry, who had been threatened and execrated by the populace in his own country for his activity in promoting the treaty, was eſteemed, by every order of men, as the diſtinguiſhed benefactor of the united kingdoms [2]. The official arrange-

[1] No viſible effect immediately followed the union in England; but in Scotland, new taxes, commercial regulations, and the introduction of revenue officers, who were men of low ſtation, and from another country, conveyed, at firſt, an unfavourable impreſſion of the treaty. Letter from a Scotch Gentleman in London to his Friend, p. 18. Edinburgh, 1711.

The delay of ſending the equivalent money afforded the diſaffected a handle for perſuading the people that it never would be paid. In the beginning of Auguſt, the money came to Edinburgh in twelve waggons, guarded by a party of dragoons, which, inſtead of appeaſing the tumultuary ſpirit of the people, gave occaſion to new clamours, as if they had been inſulted with the oſtentatious parade of corruption. It was now ſaid, that the price of their freedom was too manifeſt to be called in queſtion. The mob followed the waggons with reproaches and curſes; and threw ſtones at the horſes, and drivers; of whom ſome were dangerouſly wounded. Defoe, p. 589.

[2] The 1ſt of May, in obedience to the royal proclamation, was celebrated through England as a public thankſgiving for the union, but was obſerved by many pariſhes in Scotland in the ſpirit of religious faſting and humiliation as if that fatal event had been a mark of the judgment of Divine Providence.

"In April, the duke of Queenſberry ſet "out for London with a great equipage: I "had an invitation from him to attend him to "London in one of his coaches, which I "accepted of. I can therefore bear teſtimony that he was quite otherwiſe treated in "England than he had been in Scotland. "Here he had many times been in peril of "his life from an unruly mob that had been "inſtigated againſt the union and its well-"wiſhers; whereas in England he was every "where careſſed, and received with great ac-"clamations of joy. At Berwick, Newcaſtle, "Durham, and other cities, as he paſſed, he "was waited on and complimented by the "chief magiſtrates. Every where the people "running together teſtified their joy on the "happy event, in which he had been ſo inſtru-"mental. All the Scots in his retinue were "likewiſe treated with the utmoſt civilities. "So that all of us had the greateſt reaſon "imaginable to expect ſucceſs in the tranſac-"tion we had juſt come from finiſhing. At "Barnet, Highgate, and other places, within "twenty miles of London, all the queen's "miniſters, all the peers, and commons of "parliament waited upon him in their coaches; "ſo that I am perſuaded there never was ſo "great and joyful a concourſe of people ſeen "ſince the entry of king James the Sixth of "Scotland on the union of the crowns." Sir John Clerk's MSS.

ments,

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ments, adapted to the new eſtabliſhment of government in Scotland, were modelled agreeably to his direction; and the public buſineſs there conducted according to his advice[3]. He was afterwerds made one of the principal ſecretaries of ſtate, and honoured with an Engliſh peerage.

The firſt parliament of Great Britain was opened on the 23d October 1707[4]. The uſual forms, upon the meeting of a new parliament, were obſerved upon this occaſion: Mr. Smith was again elected ſpeaker of the houſe of commons, and approved of by the queen.

6th Nov. Her majeſty expreſſed her ſatisfaction at meeting the repreſentatives of her ſubjects from both kingdoms, prepared to render the union anſwerable to their well grounded hopes, to which nothing could contribute more, than convincing friends and enemies, that it had not only improved their abilities, but confirmed their reſolutions to carry on the war. The attempt upon Toulon, though it had not produced its deſired effect, was repreſented as ſerviceable to the common cauſe, and the recent ſucceſs in Italy, as compenſating for the loſſes in Spain. Affairs on the Rhine, ſhe obſerved, were in a fair way of being retrieved by the elector of Hanover, who had accepted the command of the army there. The various and preſſing occaſions for ſupply were enumerated. She recommended to their immediate conſideration thoſe matters, which, by the articles of the union, had been referred to the diſcuſſion of the Britiſh parliament; and promiſed that nothing ſhould be wanting, on her part, to ſecure to her people all the bleſſings expected from that glorious event.

The commons, after excluding ſeveral members in office, diſqua-

10th Nov. fied by late acts of parliament, unanimouſly voted an addreſs of thanks, and promiſed their utmoſt efforts to promote the ſeveral ob-

[3] Clerk's MSS.

[4] By the twenty-ſecond article of the union, the queen was empowered to declare the Engliſh peers, and the commons of the Engliſh parliament, then exiſting, together with the ſixteen peers and the repreſentatives of the commons of Scotland, to be the firſt parliament of Britain.

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jects recommended by her majeſty. The lords were not equally forward in adopting the ordinary forms of complaiſance; and the queſtion for the addreſs was poſtponed to that for conſidering the ſtate of the nation with reſpect to the fleet and trade of Great Britain. 1707. 12th Nov.

Encouraged by this early indication of their bad temper, ſeveral merchants and traders of the city of London prepared a petition, complaining of the great loſſes which they had ſuſtained by the neglect or miſconduct of the admiralty, and preſented it to the upper houſe on the day appointed for reſuming the queſtion on the ſtate of the nation. After a long debate, in which the miſmanagement of the fleet was ſeverely cenſured, not only by the members in oppoſition, but by ſome of the friends of adminiſtration [5], the reſolution was unanimouſly adopted of appointing a committee to inquire into the evidence of the facts contained in the petition of the merchants, and to report to the houſe [6]. 19th.

From the reports of the committee, founded upon the inſpection of all the papers relative to this buſineſs, and the declarations upon oath of the perſons concerned, it appeared, that the loſſes of the merchants during the war ſurpaſſed example; that they were owing to the delay and inſufficiency of convoys; the want of cruizers in the channel; the arbitrary proceedings of the captains of the navy in preſſing men; and the moſt ſhameful extortion and fraud chargeable upon the commanders of the convoys [7]. This report was tranſmitted to the lord high admiral, and ſent back with anſwers, which, inſtead of ſatisfying the inquirers, furniſhed new ground of cenſure, by reflecting on the miſmanagement of the naval department in the late reign [8]. The final determination of the lords, however, was not

[5] The earl of Wharton and lord Somers were of this number. Tindal, vol. vii. p. 342.

[6] A committee was alſo appointed for receiving propoſals to encourage privateers in the Weſt Indies; ſeveral reſolutions for that purpoſe were reported by the committee; and it was reſolved, that, beſides ſhips of war and convoys, a ſufficient number of cruizers ſhould be appointed in proper ſtations.

[7] Journals Lords, 17th December, paſſim.

[8] Id. 9th January, 17th February 1708.

anſwerable

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anſwerable to the ardour with which they entered upon this buſineſs. For the only meaſure which they adopted, was an addreſs and repreſentation to the queen, containing the reports of the committee with the lord high admiral's anſwers and their replies[9].

The different intereſts and attachments of the perſons, who entered with equal keenneſs into the inquiry, rendered it difficult for them to agree in that ſpecific crimination, which alone could have produced adequate redreſs for the evils complained of. The prince of Denmark, labouring under bodily indiſpoſition, and deficient in the talents and experience requiſite for the difficult and complicated duties of his appointment, had devolved the buſineſs of the admiralty upon a council of his own nomination, which was entirely under the management of admiral Churchill, the duke of Marlborough's brother. Hence it was naturally ſuſpected, that the intereſts of the navy were ſacrificed to the continental war, ſo peculiarly intereſting to the general. Some, who approved of the inquiry from the beſt motives, were convinced that the facts which it had brought to light did not afford any foundation for cenſuring miniſters indiſcriminately; while the friends of the duke of Marlborough were equally unwilling to admit any concluſion injurious to his reputation, and that political ſyſtem which he had always ſupported[10]. All were ſenſible of the ſingular delicacy of their ſituation with reſpect to the prince of Denmark; and how difficult it was to make a diſtinction between him and his council, or transfer the cenſure from the one to the other. The council had no conſtitutional exiſtence or authority: it

[9] Journals Lords, 25th February. One thouſand, one hundred and ſixty merchant ſhips had been taken in the courſe of the war. The revenue had ſuſtained a loſs of one hundred and fifty thouſand pounds within the ſpace of one year, in conſequence of the capture of Britiſh traders. The French privateers had taken many prizes in ſight of the Britiſh coaſt. The exorbitant premiums exacted by the captains of convoys, compelled the merchantmen to ſail unprotected; while, from the preſſing their men, without any regard to circumſtances, they were ſometimes forced to employ French priſoners, and to pay ſuch exorbitant wages as annihilated the profits of their trade. Journals Lords, 17th December; Journals Commons, 16th February.

[10] Journals Lords, paſſim. *Appendix*, N° XXII. XXIII. XXIV.

was

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was created by the prince and entirely dependent upon him; and therefore he alone could be reſponſible for the errors of which it was accuſed. This conſideration ſeems to have been the principal cauſe of enervating a meaſure which ſet out with ſo bold an aſpect; and a tenderneſs for the ſovereign, not only prevented any inſinuations diſreſpectful to her conſort; but was the occaſion of inſerting, in the repreſentation to the queen, a diſavowal of any reflections upon the conduct of his royal highneſs [11].

The complaints againſt the admiralty were likewiſe introduced in the houſe of commons, and the ſtate of the nation with reſpect to the navy conſidered; but owing to the cauſes already mentioned, which had a more powerful influence there, its proceedings were partial and dilatory; and the concluſions in which they terminated, ſtill leſs preciſe and efficient [12].

An inquiry into the management of the war occupied a great part of the attention of both houſes; and, more than any other ſubject that occurred in the courſe of this ſeſſion, gave an inſight into the tempers and views of parties. The Tories contended, that the ſyſtem of the war, hitherto proſecuted by the court of England, contradicted the very end for which it had avowedly been undertaken. As the primary object of it was, to veſt the Spaniſh monarchy in the houſe of Auſtria, it ought to have been puſhed with the greateſt vigour in a quarter where this object could have been moſt certainly and ſpeedily obtained. Recent experience enforced this concluſion, as the active bravery of the earl of Peterborough, at the head of a body of troops, inconſiderable and ill equipped, had nearly accompliſhed, in one campaign, that ſucceſs which could never be effected

[11] Tindal, vol. vii. p. 347, &c. Journals Lords, 25th February.

[12] Journals Commons, paſſim. Although there appeared the fulleſt evidence of fraud, extortion, and breach of truſt committed by captain Ker, who commanded one of the convoys; yet neither of the houſes carried their cenſure farther than addreſſing her majeſty not to employ him for the future. Journals Lords, 7th; Journals Commons 24th February.

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by the moſt ſplendid victories in Germany, purchaſed at an immenſe profuſion of blood and treaſure.

The duke of Marlborough and his friends juſtified the plan on which the war had been conducted; and even inſiſted upon the neceſſity of augmenting the military force of the allies in Flanders. As the French king alone had maintained his grandſon in the uſurpation of the Spaniſh throne, it was evident, that the intereſt of his rival, king Charles, could obtain a firm and permanent eſtabliſhment, only by reducing the power of France; for which purpoſe it was neceſſary to carry on an offenſive war on its frontiers, and to extend it as opportunity offered, into the interior of that kingdom. The ſtrong places in Spain might be ſecured by the twentieth part of the force that was requiſite for defending the forts in the Netherlands. If the latter were loſt, the government of Holland would be compelled to relinquiſh their connexion with the grand alliance, and give way to the faction which had reluctantly entered into the war. The comparative loſs of men and expence, incurred in the reſpective departments of the war, had been groſsly miſtated; for, while the tranſportation of troops into Spain amounted to fourfold the expence of conveying them to the neighbouring continent, a far greater proportion of them were rendered unfit for ſervice, or periſhed ingloriouſly in conſequence of diſeaſes occaſioned by a tedious voyage, unwholeſome proviſions, and the ſultrineſs of the weather peculiarly noxious to the natives of a northern climate [13].

When political meaſures happen to be implicated in the cauſe of parties, the diſcuſſion of them is ſeldom purſued with that diſcrimination and impartiality which is due to the public intereſt and the character of individuals. An object of the higheſt national moment was treated as if it had been the petty concern of two rival generals. The

[13] Annals Anne, p. 296. Tindal, vol. vii. p. 364. Letter to a Tory Member on the Management of the War, p. 24, 5.

names

names of the earl of Peterborough and lord Galway were often introduced: the exploits of the former were magnified by the Tories; and the ill ſucceſs of the latter imputed to miſconduct, which was not warranted by any evidence produced [14]. CHAP. XIII. 1707, 8.

However different the motives of individuals intereſted in theſe debates on the management of the war, it is ſomewhat remarkable that the buſineſs was brought to an iſſue, which was conſidered by the oppoſite factions as equally ſubſervient to their reſpective views. Both houſes agreed in an addreſs to the queen, repreſenting that no peace could be ſafe or honourable, while Spain and its colonies were under the power of the houſe of Bourbon; and beſeeching her majeſty to uſe her influence with the emperor, to ſend powerful ſuccours to his brother. By this addreſs, an obſtruction was thrown in the way of the peace, towards which the king of France had made earneſt advances, an effect highly acceptable to the junto; while the Tories were gratified with the hope of the war's being conducted, in future, agreeably to the plan which they had recommended, both from conſiderations of public good, and the proſpect of ſhaking the ſtability of the preſent adminiſtration. 23d Dec.

The friends of the earl of Peterborough, during the diſcuſſion of the queſtion relative to the affairs of Spain, diſcovered great ſolicitude to obtain a vote of thanks in the houſe of lords for the meritorious ſervice he had performed there [15]. The party in power were aware, that the movers of this queſtion had other views than thoſe which referred ſimply to the honour of their hero, and that yielding this point would have given too much countenance to thoſe ſentiments, with reſpect to the management of the war, which were brought forward in every ſtage of this debate. As the duke of Marl-

[14] The diſcoveries ariſing from this inquiry afforded ample proof of ſuch untoward accidents, miſmanagement at home, and ill conduct on the part of the allies in Spain, as ſufficiently accounted for the misfortunes of lord Galway. Although the parliament had voted twenty-nine thouſand men for the ſervice of the campaign 1707, in Spain and Portugal, no more than eight thouſand were there at the fatal battle of Almanza; and theſe deficient in officers.

[15] Annals Anne, p. 314.

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borough had prevailed in the late ſtruggle among the members of the cabinet, his enemies began to deſpair of ſupplanting him by any other means, than either putting an end to the war, or changing the ſcene of action. Every ſucceſſive campaign crowned him with freſh laurels; and ſtrengthened his pretenſions to that aſcendancy, which he had long held in the councils of the ſovereign. A vote of thanks to the earl of Peterborough would have communicated new importance to the theatre of his exploits, and given an additional ſanction to the propoſition on which the tory lords were ſo ſtrenuouſly bent, that the ſtreſs of the allied arms ought to be ſhifted from Germany and the Netherlands to Spain [16].

Not contented with oppoſing the honour claimed in behalf of the earl, the leaders of adminiſtration frequently introduced into the debates inſinuations diſreſpectful to that nobleman; and endeavoured to give ſuch a direction to the inquiry, as tended to diſcloſe examples of his indiſcretion and inſolence in the very ſcene where his merits ſhone with the moſt conſpicuous luſtre. Coolneſs, moderation, and prudence, are virtues which more frequently belong to characters and talents of an ordinary ſtandard, than to thoſe which are eccentric and aſtoniſhing. The intrepidity, the diſpatch, the ſucceſs of the earl of Peterborough were undeniable, but he was haughty, impetuous, headſtrong, and impatient of ſubordination; and often acted in oppoſition to the counſels which he could not over-rule. His arrogance diſguſted his colleagues, and repeatedly gave offence to king Charles; and if the merit of his ſervices had not far outweighed his delinquencies, there can be little doubt, that the rigid and ordinary interpretation of military law would have authorized the ſevereſt cenſures which his enemies wiſhed to inflict [17]. But, as he had many friends in the houſe and great popularity, it was deemed moſt expedient to deſiſt from the plan of inſtituting any formal inquiry into his conduct; and to leave it with the public,

[16] Oldmixon, vol. ii. p. 398.

[17] Tindal, vol. vii. p. 395.

coolly

coolly to appreciate his merits according to the facts brought to light, without any bias from the interpoſition of his peers, either in the way of cenſure or applauſe [18]. CHAP. XIII. 1707, 8.

From the inveſtigations now recited, it appeared that the great deficiency of the force employed in the Spaniſh ſervice, was owing principally to the failure of the allies, who did not ſend their ſtipulated proportion of troops into that quarter. The commons therefore repeatedly addreſſed her majeſty, that ſhe would lay before them a ſtate of the effective men maintained by the king of Spain, and by the king of Portugal. With the former part of this requeſt ſhe complied; but with reſpect to the latter, ſhe declined to make any ſtrict inquiry into the conduct of his Portugueſe majeſty, as the enemy were now uſing their utmoſt diligence to draw him off from the alliance [19]. 18th Dec. 12th Jan. 3d Feb.

In order to form a clear apprehenſion of the meaſures which were adopted by the firſt Britiſh parliament, relative to the trade of Scotland, it is neceſſary to mention a tranſaction which happened there, in the interval between the 16th of January, when the treaty obtained the final approbation of the ſtates, and the 1ſt of May, when it became obligatory on the ſubjects of both kingdoms. By the fourth article it was ſtipulated, that all the ſubjects of Britain ſhould enjoy equal freedom of trade in every part of the united kingdoms. It was hardly to be expected, that either the proſpect of future advantage, or the ſtrict point of honour, would reſtrain mercenary adventurers from entering into ſpeculations of gain, ſuggeſted by an ambiguity and reſerve, unavoidable in regulations which referred to a caſe entirely new, and which were to be productive of ſuch an eſſential change in the commercial intereſts of both nations. As ſoon as the treaty had paſſed in the parliament of Scotland, large

[18] Journals Lords, paſſim.

[19] Letter from Paris, 7th November 1707. Lamberti, tom. xiv. p. 184. The king of Portugal not only fell ſhort of the number of troops which he had engaged to furniſh at his own expence, but of thoſe for which he received a ſubſidy. Hiſtory of Impeachments, p. 272. Lond. 1711.

quantities

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quantities of foreign goods were commiſſioned, and foreign ſhips freighted to carry them to Scotland, with the deſign of tranſporting them into the neighbouring country, after the commencement of the union, taking it for granted, that under the protection of the above article, they would be free from the Engliſh duties[20]. The fair traders, who formed the moſt opulent and reſpectable claſs of merchants in England, gave in a repreſentation to the houſe of commons before the union had yet taken effect, ſetting forth the injuries ariſing from theſe illicit practices, with reſpect to the public revenue, as well as their own private fortunes. On the ground of this repreſentation, a bill paſſed in that houſe to ſubject all the goods imported into Scotland, under the circumſtances deſcribed, to the prohibitions and the duties enacted by the Engliſh parliament. This bill, after an impartial and full diſcuſſion, was rejected by the lords, not on account of any objection to its principle, or to the facts on which the complaints of the London merchants were founded, but merely from an honourable ſcruple with reſpect to the competency of the Engliſh parliament, in its ſeparate capacity, to explain or determine any queſtion, relative to the articles of the union, which had been framed and ratified by the legiſlatures of the two reſpective kingdoms[21]. Preſuming, from the reſerve on the part of the lords, that their ſpeculation was likely to ſucceed, the proprietors ſent their cargoes to London immediately after the commencement of the treaty, with certificates of their having been landed in Scotland before it had taken place[22]. The cuſtom-houſe officers ſeized both the ſhips and the goods, ſome of them being contraband by the ſtatute which pro-

[20] Theſe goods chiefly conſiſted of wines, brandies, ſalt, linſeed, iron, timber, and deals. Not only the Scotch, but Engliſh, Dutch, French, and Jewiſh merchants were concerned in theſe adventures. Defoe, p. 568.

The tobacco was ſent to Scotland in ſuch immenſe quantities, that it was evident the deſign was to return it again to England after the union, and ſo to obtain the advantage of the drawback. Defoe, p. 569.

[21] Journals Commons, 7th; Lords, 24th April. Defoe, p. 571.

[22] A fleet of no leſs than forty ſail, loaded with the commodities abovementioned, arrived in the Thames.

hibited

hibited all trade with France [23]. When this was made known in Scotland, great diſſatisfaction was expreſſed by every claſs, as if the articles of the union had been violated under the eye of the miniſtry; and a petition was preſented to her majeſty by the convention of royal burghs, entreating her interpoſition, to prevent the great loſs and injuſtice which the merchants in Scotland would ſuſtain by the forfeiture of their ſhips and cargoes. Her majeſty laid this petition before the privy council, which, after mature deliberation, agreed that the ſubject of it ſhould be referred entirely to the deciſion of the Britiſh parliament. In the mean while, that the goods in queſtion might ſuſtain no damage, the owners were permitted to land them on the condition of their agreeing to ſubmit their caſe to the ſame reſpectable arbitration. Some acquieſced in this propoſal, but the majority rejected it, which reduced the officers of the crown to the neceſſity of having recourſe to the ordinary forms of law, for keeping a proſecution open, that the merchants might be anſwerable for the payment of the duties, if it ſhould be found expedient to exact them, after the caſe had been maturely inveſtigated by the united legiſlature [24].

The buſineſs was brought into parliament early in the ſeſſion by a petition from the owners of the goods to the houſe of commons; which being conſidered by a grand committee, it was unanimouſly reſolved to addreſs the queen that ſhe would be pleaſed to order her attorney-general, to diſcharge the ſeveral informations exhibited in the court of exchequer relating to goods imported into Scotland before the 1ſt day of May 1707. The reſolution of the houſe of commons in this buſineſs met with her majeſty's hearty approbation, and was immediately complied with. An example of ſuch lenity and indulgence towards the Scots was a happy preſage of the kindneſs and liberality to be expected from their fellow ſubjects, in every dubious queſtion concerning their interfering intereſts.

22d Nov.

24th.

[23] Notwithſtanding the war, Scotland had hitherto carried on a trade with France.
[24] Defoe, p. 571, &c. Appendix, p. 686.

The

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1707, 8. 18th Dec.

The attention of the Britiſh parliament was next directed to thoſe objects which related to the political ſituation, and internal government of Scotland. An act was paſſed for repealing and declaring the determination of two acts paſſed in the parliament of Scotland, namely, the act of ſecurity, and an act anent peace and war [25]. Both were virtually ſuperſeded by the union, which communicated to Scotland thoſe rights and privileges, which it was the object of theſe acts to obtain; and ſtill more explicitly by the 25th article of the treaty, which declared, that all former laws, in either kingdom, inconſiſtent with its terms and conditions, ſhould ceaſe and become void; but a formal and literal abrogation of them was deemed expedient, to remove the uneaſy apprehenſions, which they had excited in England [26].

The reluctance of miniſters to aboliſh the Scottiſh privy council aroſe from a narrow and ſelfiſh policy, very unlike that which marked the general tenor of their conduct and proceedings reſpecting the union.

In the records of the privy council of Scotland, after the junction of the crowns, we meet with more frequent examples of the groſs perverſion and abuſe of delegated power, than occur, perhaps, in the hiſtory of any nation, poſſeſſing a regular and eſtabliſhed government. The functions and proceedings of the ordinary judicatories were often ſuſpended; and their deciſions overawed and controlled, by the indefinite prerogatives of a tribunal, which was a ſtanding engine of regal, and ariſtocratic oppreſſion. Its unlimited continuation, or the application of its authority to any arbitrary purpoſe, were ideas which certainly never entered into the minds of the preſent miniſters; but ſpecious grounds of policy, and motives of party

[25] By the act anent peace and war, (16th September 1703,) it was declared, that after her majeſty's deceaſe, and failing heirs of her body, no perſon, being king or queen of Scotland or England, ſhall have the power of making war with any prince, &c. without conſent of parliament; and that no declaration, without ſuch conſent, ſhall be binding on the ſubjects of Scotland.

[26] Tindal, vol. vii. p. 356.

intereſt, rendered them anxious to prolong the exiſtence of a court, which was capable of acting with greater promptitude and vigour, than could be expected from the new magiſtrates, who were to ſupply its place, under ſuch reſtrictions and reſponſibility as were congenial to the lenient ſpirit of the Engliſh conſtitution [27]. The diſtance of Scotland from the ſeat of government, the continuance of the war, the recent detection of conſpiracies, and the turbulent ſpirit of the Scots, which was ready to make the ſalutary innovations attending the union a pretext for inſurrection, required a deputation of power more ample and free, and in criminal matters a procedure more prompt and vigorous than was neceſſary in the neighbouring kingdom, where the people had been long inured to habits of order and civilization, and were more immediately under the control of the ſupreme magiſtrate.

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Theſe arguments, however ſpecious, were treated with leſs reſpect, becauſe the perſons who laid ſo great a ſtreſs upon them, were not unmoved by perſonal conſiderations; and wiſhed to retain the Scottiſh privy council, as the moſt effectual inſtrument for ſupporting their own political influence in that country; and particularly for modelling the elections which were to take place at the riſe of the preſent ſeſſion of parliament [28]. The motives which induced ſeveral of the Scottiſh nobility to oppoſe the abolition of the privy council, were neither ſo ambiguous, nor ſo plauſible and decent, as thoſe which were aſcribed to the Engliſh members who voted upon the ſame ſide. Although moſt of the families of diſtinction in Scotland had, in their turns, ſmarted under its deſpotic arm, yet they were unwilling to ſubmit to that encroachment upon their own hereditary juriſdictions, which was to follow upon the extinction of this branch of executive government [29]. Lord Somers exerted himſelf with uncommon ardour and diligence in promoting a meaſure ſo eſſential to the liberty of Scotland; and as he had been principally uſeful in ad-

[27] Earl of Loudoun's Letter to Carſtares, 30th December 1708.

[28] Life of Argyle, p. 133.

[29] Cunningham, vol. ii. p. 135, 6, 9.

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viſing and directing all the previous ſteps of the treaty of union, to his perſevering and conſiſtent patriotiſm, poſterity ſtands indebted for the ſpeedy diſſolution of a tyrannical juriſdiction, which might long have intercepted the moſt ſubſtantial benefits of that meritorious tranſaction [30]. The bill for rendering the union more complete, by ſubjecting the affairs of both nations to one privy council, after

11th Dec. having paſſed in the houſe of commons, was carried in the houſe of lords only by a majority of five votes [31].

A bill

[30] Minutes of Lord Somers's Speech. Hardwick's Collection, vol. ii. p. 473.

[31] Journals Commons, 6th; Lords, 25th February.

By this act the Scottiſh privy council was to terminate on the 1ſt of May 1708. The powers of juſtices of peace were made the ſame throughout the whole united kingdom; and, for the better adminiſtration of juſtice, the lords of juſticiary were appointed to make circuits twice in the year; the writs of the election of members were to be directed to the ſheriffs of the counties, and the returns to be made in like manner as in England.

Acts were likewiſe paſſed this ſeſſion for regulating the elections of the peers, for eſtabliſhing a court of exchequer in Scotland, and for further directing the payment of the equivalent.

A proteſt was entered in the houſe of lords againſt the bill for rendering the union more complete. The firſt reaſon referred, merely, to the diſorder that would ariſe from the premature diſſolution of the privy council; but the ſecond, to the new powers conferred upon the juſtices of peace, as encroaching upon the twentieth article of the union, which provided, that all heritable juriſdictions ſhould be reſerved for the owners thereof as enjoyed by the laws of Scotland.

The juſtices of peace, agreeably to the laws of Scotland before the union, were appointed by the privy council; and their powers were conſiderably enlarged by the 12th and 38th acts of the Scottiſh parliament, in the time of Charles the Second. Having been found too much ſubſervient to the arbitrary dictates of their conſtituents, they were laid aſide at the revolution; and conſeqnently the adminiſtration of petty juſtice remained with the hereditary magiſtrates, ſheriffs, ſtewarts, and the proprietors of great eſtates, according to the rights and uſages of their ſuperiorities. Defoe, p. 593, &c.

As there can be no doubt of the expediency of reviving the inſtitution of juſtices of peace, ſo the eſſential alteration which had taken place in the political condition of Scotland ſhut up the ſource, from which the corruption and mal-adminiſtration of this deſcription of magiſtrates were originally derived. The privy council exiſted no more: it was neceſſary therefore, that they, as well as the juſtices in England, ſhould receive their commiſſions from the lord chancellor.

The alterations introduced into Scotland, with reſpect to the exciſe, cuſtoms, and commercial laws, gave riſe to a new ſpecies of civil crimes, of which it was neceſſary that the new juſtices ſhould be empowered to take cognizance. If according to the model of England, the powers of the Scottiſh juſtices were farther enlarged, it was ſo evidently ſubſervient to public order and peace, that none but ſuch as were influenced by ſelfiſh motives could object to it, upon the ſcore of its deviating from a rigid and literal adherence to the twentieth article of the union; and even this objection was in a great meaſure obviated by a clauſe in the act, "that, in the ſeſſions of "the peace, the methods of trials and judg- "ments ſhall be according to the laws and "cuſtoms of Scotland." Statutes at Large, vol. iv. chap. vi. 1707.

The novelty of the inſtitution, the jealouſy of

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A bill paſſed in both houſes for ſettling the militia in Scotland. Beſides the advantages to Scotland expreſsly ſtipulated by the treaty of union, it was expected that other public improvements and benefits would afterwards be promoted in that country by the united legiſlature. A militia had been always reckoned, by the Scottiſh patriots, as an eſſential ſecurity for their liberty and independence; and as their army was now modelled according to the plan of that of England, ſo it was taken for granted that a militia was to be eſtabliſhed in Scotland upon the ſame footing in both kingdoms. But while the bill was depending, the attempt of the pretender to invade Scotland, excited a general ſuſpicion that it would be unſafe to truſt the people in that country with arms, and prevented the bill being preſented for the royal aſſent.

A committee of the lords was appointed to examine Gregg, convicted of high treaſon, and other ſuſpected perſons who had been employed by Mr. Harley for procuring intelligence from France. Although no evidence appeared upon the face of theſe examinations, tending to the crimination of the ſecretary, yet the report of the houſe was worded in ſuch a manner as to impute blame to him, by inſinuating that his indolence and careleſſneſs had been the cauſe of betraying the ſecrets of government. 18th Jan. 18th March.

A meſſage was ſent by the queen to both houſes, informing them of preparations carrying on at Dunkirk, for an immediate invaſion of England by the French and the pretender, which was anſwered by a joint addreſs from the lords and commons, expreſſing their fervent loyalty, and willingneſs to concur in every meaſure for defend- 4th. 5th.

of the hereditary magiſtrates, and the perſons firſt appointed to the offices of juſtices, being ignorant of the laws of England, which were now in many caſes to regulate their deciſions, prevented them, for a long time after the union, from diſcharging their duty with the diligence, independence, and energy, which was neceſſary to render their office as uſeful as was intended either to the ſovereign or their fellow citizens. "The juſtices of peace, who were by the "above act to have ſupplied the place of the "privy council of Scotland, neither under-"ſtood their duty, nor were willing to exe-"cute their offices as was expected. They "were in a good meaſure ſtrangers to the "laws by which they were chiefly to act; "and in ſome ſhires of Scotland, they ſeldom "or never met." Sir John Clerk's MSS.

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ing her majeſty's title and perſon. The habeas corpus was ſuſpended; a proclamation was iſſued for apprehending the pretender and his adherents; for taking proper ſteps to guard againſt the dangers ariſing from popiſh recuſants; and becauſe ſome of the highland chieftains lay under the imputation of diſaffection, a bill was brought into the houſe of commons to diſcharge the clans from their vaſſalage; and orders were ſent to the earl of Leven, commander of the forces in Scotland, to apprehend all ſuſpected perſons. The alarm, occaſioned by theſe meaſures, was but of ſhort duration; and within the ſpace of a few days, the parliament had occaſion to preſent thanks to the lord high admiral for his diſpatch in ſending out a fleet which prevented the intended invaſion.

29th March. The houſe of lords teſtified their reſpect for the memory of king William, by addreſſing her majeſty to appoint commiſſioners to make out a ſtatement of his perſonal debts, that proper meaſures might be adopted for diſcharging them. Her majeſty returned a favourable anſwer, but it does not appear that any effectual progreſs was made in a buſineſs in which the honour of the nation was ſo deeply concerned.

20th, 23d Dec. 19th Nov. 13th Dec. The commons, by various meaſures, during the courſe of this ſeſſion, diſcovered a zeal for advancing the commercial intereſt of the nation. They addreſſed her majeſty to uſe her entreaties with the emperor to obtain the repeal of a prohibition which he had ungratefully impoſed upon the importation of Britiſh woollen manufactures into his dominions in Stiria. They brought in a bill to prevent the continuance of colluſive practices with reſpect to bringing French wines into the ports of England, under the pretext of their being prize goods, to the injury of the Portugueſe trade, ſo beneficial to the nation [32]. Proper regulations were adopted for preventing frauds in the manufacture and ſale of woollen cloth, and for the encouragement of its exportation; and a new act was paſſed

[32] This bill was not carried through before the end of the ſeſſion.

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for ſecuring the trade of the American colonies [33]. The houſe of commons gave another inſtance of their indulgence to the prejudices of the Scottiſh nation, by recogniſing the merits of Mr. Paterſon, the original projector of the Darien company. They reſolved, that he was entitled to payment for all the ſums due to him by the proprietors; and alſo to a recompence ſuitable to his public ſervices; and the committee, appointed for directing the payment of the equivalent money, was empowered to receive a clauſe for that purpoſe. 1707, 8. 18th March.

The commons ſeem rather to have diſplayed an officious zeal for orthodoxy, by expelling Mr. Aſgil, one of their members, becauſe he had publiſhed opinions contrary to thoſe which were generally received by the chriſtian church; and the book which contained them was ordered to be burnt by the hands of the common hangman [34]. 18th Dec.

All the ſupplies demanded for the public ſervice were cheerfully granted, and amounted to the ſum of ſix millions, twenty-one thouſand, nine hundred and twenty-ſix pounds, ſix ſhillings, and a penny; of which ſum, one million and two hundred thouſand pounds was advanced by the united Eaſt India company, upon paſſing an act to renew their charter for fourteen years. This ſeſſion was cloſed on the 1ſt of April, and the parliament diſſolved upon the 15th.

Its proceedings, upon an impartial review, appear to be entitled to a high degree of praiſe. No parliament, during this reign, maintained greater moderation and unity in the diſcuſſion of various buſineſs of the higheſt national importance; and, to the generoſity and diſpatch of the commons, in granting the ſupplies, the ſubſequent ſucceſs of the Britiſh arms is in a great meaſure to be imputed;

[33] Statutes at Large, vol. iv. 1707.

[34] The propoſition aſſerted by Mr. Aſgil was, that, according to the covenant revealed in the ſcriptures, man may be tranſlated into eternal life without paſſing through death. As this propoſition could not be productive of bad influence upon practice, ſo it was defended with great ingenuity, and every mark of ſincerity by the author. Mr. Aſgil was at this time lying in the Fleet priſon for debt, and had petitioned the houſe to be relieved on the ſcore of privilege. It was probably with the view of getting rid of this petition, and the diſclaiming connexion with a perſon, whoſe embarraſſments had brought him under reproach, more than from any motive of religious zeal, that the houſe inflicted ſuch a ſevere ſentence. Biographia Britannica, artiele Aſgil.

nor

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nor ought we to overlook the diligence with which both houſes inquired into abuſes and miſcarriages injurious to the public, though it muſt be acknowledged, that their final determinations fell ſhort of that preciſion and energy which would have been neceſſary for overawing delinquents, and preventing the repetition of ſimliar offences. But, what above all recommends this parliament to the gratitude of poſterity is the memorable tranſaction of the union, which never could have been accompliſhed without a laborious and patient inveſtigation of facts, and the moſt comprehenſive views of the political intereſts of Britain.

Pretenſions of the French prophets.

About the end of the year 1706, ſeveral French proteſtants, from the country of the Cevennes, arrived in England. They were generally treated with tenderneſs and indulgence as ſufferers for conſcience ſake, till the extravagant pretenſions and frantic behaviour of ſome of their leaders diſturbed the public peace, and at length required the interference of the civil magiſtrate. Elias Marion was the principal actor in this ſtrange ſcene of enthuſiaſm or impoſture; for it is difficult to decide, whether he was the dupe of his own delirious imagination, or only acting a part in order to gratify a ſpurious ambition by rendering himſelf the object of popular admiration. He pretended to be the inſpired meſſenger of heaven, and to have received authority to denounce judgments, and foretell future events. John Cavalier and Durand Fage, only put in their claim as ſubordinate inſtruments in Marion's commiſſion; and co-operated in atteſting his authority, and propagating the doctrines revealed to him by the Spirit of God. Although the topics inſiſted upon by theſe ſelf-commiſſioned prophets were frivolous or unintelligible; their expreſſions confuſed, abrupt, and incoherent; and the attitudes and motions with which they were accompanied, wild and eccentric [35]; but,

[35] Nothing could be more ludicrous and fantaſtical than the attitudes and expreſſions of theſe pretended prophets. They often fell ſuddenly proſtrate on the ground as if they had been thrown down by external force; and continued motionleſs, and apparently dead for

but, at the ſame time, ſuch as might have been acquired by artifice and habit; yet they met with wonderful ſucceſs in collecting a multitude of followers of low rank, and even in making a few proſelytes reſpectable for ſtation and character. CHAP. XIII. 1707, 8.

The miniſters and elders of the French chapel in the Savoy began to be uneaſy on account of theſe irregularities, leſt they ſhould bring reproach upon their own congregation, and give authority to prejudices, unfavourable to the proteſtant refugees, which ſome of the eſtabliſhed church diſcovered a ſtrong inclination to foment. The leading members of that congregation applied to the biſhop of London, as their eccleſiaſtical ſuperior, that they might be enabled to take effectual meaſures for ſuppreſſing an impoſture, ſo injurious to their own particular credit, and the intereſt of the reformed religion in general. Having received powers for this purpoſe, they ſummoned the three perſons already named, to appear before them, and give an account of their pretenſions. Elias Marion only appeared, and with a ſullen obſtinacy maintained his claim to divine illumination. The commiſſioners condemned his pretenſions as blaſphemous and dangerous; and ordained their ſentence to be entered in their re- 2d January 1707.

for a conſiderable time. The firſt ſymptoms of their returning to life were indicated by heavy ſighs and groans, which were ſoon followed by vociferation and loud ſhrieks: broken ſentences were then dropt, after ſhort intervals, in ſtrange and unnatural ſounds, while the perſons themſelves ſeemed to have no more apprehenſion or conſciouſneſs of what they uttered than inanimate machines. Upon other occaſions, they appeared to be violently and reluctantly conſtrained, to announce the dictates of the Spirit, contrary to their own inclinations; and, in that caſe, their diſcourſes were delivered with varied modulations of voice, as if different perſons had been ſpeakers; the Spirit all the while commanding and threatening; the agents, contradicting and ſetting him at defiance, till at length, exhauſted in body and mind, the latter, in feeble accents, ſurrendered themſelves implicitly to the counſels of omnipotent wiſdom, profeſſing their deep affliction and penitence for having, vainly and impiouſly entered into ſuch an unequal conteſt. Not only the original founders of the prophetic ſect, but ſeveral of their diſciples, of both ſexes, and even children, became principal actors in theſe enthuſiaſtic freaks. See the caſe of Samuel Kaimer, London, 1718. Cunningham, vol. ii. p. 81.

To ſuch extreme audacity did theſe enthuſiaſts arrive, that they at length boaſted, with confidence, of their having obtained power to raiſe the dead. They were even ſo infatuated as to ſpecify the perſons on whom this power was to be exerciſed, and the time and place of doing it; and though they repeatedly failed, they were not abaſhed, but promiſed ſucceſs with the ſame confidence in a future experiment; and what above all was ſtrange, the greater number of their votaries ſtill believed them, and adhered to them. Id.

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giſter, and to be read in the ſeveral proteſtant chapels with which they were connected.

Inſtead of being checked or overawed by the cenſures of their proteſtant brethren, the pretended prophets became more bold, inſolent, and aſſiduous in the propagation of their tenets, and in their zeal to make proſelytes. They now delivered their exhortations and prophecies every day in the ſtreets to credulous and increaſing multitudes; they inveighed againſt the miniſters of the eſtabliſhed church; they denounced woeful judgments againſt the city of London and the Engliſh nation; and they committed their diſcourſes to the preſs, to give them a diffuſive circulation[36].

This laſt ſtep furniſhed the proteſtant congregations, whoſe indignation was inflamed by the contempt with which their authority was treated, with grounds for calling in the aid of the civil magiſtrate.

The ringleaders of the deluded band were indicted and proſecuted at the expence of the French proteſtant churches, as impoſtors, and diſturbers of the public peace; and were ſentenced, by the court of Queen's Bench, to ſtand on a ſcaffold at Charing-croſs and the Royal Exchange, with a paper denoting their offence; to pay each of them a fine of twenty merks, and to find ſureties for their good behaviour.

28th Nov. 1708.

The ſeverity of this ſentence, and the fortitude with which they endured it, were ill calculated for undeceiving their deluded votaries, if an imputation, more preciſe and odious than that for which they were condemned, had not been artfully propagated to overturn the popularity of theſe triumphant impoſtors. It was inſinuated, that the oſtenſible offenders were only tools of ill deſigning men, who wanted to ſpread Socinian principles among the lower claſſes of the people; and to ſubvert the orthodoxy of the proteſtant congregations[37]. No proof, however, was adduced to ſubſtantiate this

[36] They were intitled Prophetical Inſpirations of Elias Marion.

[37] Annals Anne, p. 371. Dr. Ems, one of the perſons whom the prophets undertook to raiſe, was a reputed Socinian. Caſe of Kaimer, p. 11.

charge,

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charge, which certainly can derive no credit from internal evidence, as it is not eaſy to conceive means more unfit for the end propoſed, than theſe which were now adopted, or a more unaccountable and diſcordant aſſociation, than that which was ſuppoſed between the diſguiſed intentions and the palpable offences of theſe wretched and contemptible fanatics [38].

Campaign 1708.

The events of the campaign 1707 equally diſappointed the fears of France, and the hopes of the allies. That after ſo many defeats, ſuch immenſe loſs of men, and the embarraſſment of her finances, the balance of ſucceſs ſhould have inclined to France; and that ſhe ſhould ſtill be able to meet her combined opponents, almoſt in every quarter, with an augmented and ſuperior force, are facts of ſo extraordinary a nature, that they ought not to be paſſed over without attending to the cauſes from which they aroſe.

All political aſſociations, compoſed of ſtates whoſe forms of government are diſſimilar, and whoſe intereſts ſometimes interfere, and often run counter to each other, neceſſarily contain latent cauſes of imbecility and diſſolution. Although their peculiar prejudices may be ſuppreſſed, and the proſecution of their ſeparate advantages ſuſpended, under the recent impulſe of ſympathetic alarm or reſentment, yet the ſtrength of theſe feelings afterwards decline from the familiarity of the objects which firſt excited them; and the native ſentiments and habits of the ſeveral united parties gradually reſume their wonted ſway. In the courſe of deliberations, and in the very ſcene of action, competitions and rivalſhips ſtart up, which rouſe the pride and animoſity of the citizen to the prejudice of the general and allied intereſt. The precarious fortune of war, a defeat or a victory, operates unequally, with reſpect to the intereſts of the various confederate powers; and ſuggeſts peculiar fears and hopes, which were not foreſeen or attended to at the formation of their union. Plans of appropriate advantage are clandeſtinely cheriſhed

[38] Shaftſbury's Eſſay on Enthuſiaſm.

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and purſued; open diſcords and jealouſies perplex their councils, and enervate their joint efforts againſt the common enemies, whoſe power and reſources are often regenerated by the very extremity of diſtreſs to which they have been reduced. Theſe obſervations are founded upon facts, which enter into the period immediately under our review.

Various incidents, during the two preceding campaigns, had diſcloſed the intereſted views of ſome members of the confederacy, and expoſed their ſmothered jealouſies of each other. The ſelfiſhneſs and inſolence of the emperor, though he had the greateſt ſtake in the war, became highly offenſive to all the reſt of the allies. By conſenting to the evacuation of the Milaneſe, and proſecuting his deſign againſt Naples, he had diſappointed the exertions of the allied powers in Provence, and in Spain. He diſcovered the utmoſt unwillingneſs in contributing to the aggrandizement of his brother, when it trenched upon his own authority; and it was only, after long delay and repeated ſubterfuges, that he yielded to the entreaties of the German ſtates, by transferring to him the duchy of Milan[39]. Nor did it require leſs addreſs and importunity from the queen of England and the ſtates of Holland, to prevail upon him to perform his father's ſtipulations to the duke of Savoy, by ceding to him Valencia and Alexandria, with their dependent territories, the very object which had allured that prince to renounce his connexion with the French king[40]. Threatened with the diſmemberment of his native dominions by the Hungarian inſurgents, Joſeph diſplayed at once the imprudence of his policy, and the intemperance of his ambition, by reviving obſolete and dubious claims of ſovereignty over many fiefs in Italy, whoſe proprietors were unable to produce authentic titles of the grants made to their anceſtors, from whom they had deſcended through many intervening generations. This barefaced and ill-

[39] Letter of Mancheſter to Sunderland, 13th January 1708. Letter of Cardonel to Sunderland, 2d October 1707.

[40] Meadows' Letter to Boyle, Vienna, 29th April 1708.

timed

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timed uſurpation affected ſome of the moſt populous ſtates; and though they were not in a condition to reſiſt by any other weapons than thoſe of argument and remonſtrance, it exaſperated their ſpirits againſt their oppreſſor, and rendered them ſecretly diſaffected to the confederacy with which he was united [41].

The circles of Germany not only availed themſelves of every pretext for withholding or reſtricting their contributions to the war, but complained of the emperor's having failed in affording them the protection he had promiſed; and became ſuſpected of a ſtrong inclination to accept of the neutrality, ſo often urged by the French king [42].

While England was made the dupe of her allies, by augmenting her military force; and laviſhing ſubſidies among them with unexampled profuſion; ſhe did not eſcape the reproach of ſnatching, clandeſtinely, at unfair advantages for herſelf. The jealouſy of the united ſtates in particular was excited by the diſcovery of a commercial treaty, highly favourable to the trade of England, to which Mr. Stanhope had ſecretly procured the conſent of king Charles, in the extremity of his affairs during the preceding campaign [43].

The heavy exactions impoſed upon the towns of the Spaniſh Netherlands by the rapacious delegates of the allies, contraſted with the mild government of the elector of Bavaria, who had preſided there after the peace of Ryſwick, diſpoſed them to liſten, with a favourable ear, to his inſtigations for revolting againſt their preſent maſters, as ſoon as it could be attempted with any proſpect of ſucceſs [44].

[41] Barré, tom. x. p. 539.

[42] Id. p. 524.

[43] By this treaty, it was agreed, that the ſubjects of Great Britain ſhould poſſeſs the ſame privileges of a free trade to the Spaniſh Indies as the ſubjects of Spain; and that the French ſhould be entirely excluded from all kind of trade within the dominions of the king of Spain. Tindal, vol. vii. p. 233, note.

[44] Berwick, vol. ii. p. 1. Lediard, vol. ii. p. 17. The elector was magnificent, a great admirer of the ladies, and a bigot to the catholic religion; which engaged the affections of all ranks. Hiſtory of the Campaign 1708. Lond. 1709.

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The reſpective ſituation of the allied powers, their local dangers and their divided intereſts, introduced diſcordance into all their councils, and their plans for proſecuting the war. Some of them complained of exhauſted finances; and, inſtead of bringing in their contributions, ſolicited loans or ſubſidies from the more opulent ſtates. Some requeſted troops for maintaining their military eſtabliſhments, which could no longer be recruited from their own depopulated dominions; others demanded gratuitous ſupplies of ammunition and proviſions, which their inland ſituation rendered it impracticable for them to obtain, without the generous exertions of the maritime powers. In ſhort, avarice, partiality, and caprice, furniſhed arguments, which appeared the moſt cogent to the party intereſted, for preferring its claims to thoſe of every member of the confederate body; and thus it became impoſſible to adopt any reſolutions, or fix upon any ſcheme of operations, without leaving ſomewhere diſguſt and reſentment, which looſened the bands of the grand alliance [45].

While from theſe cauſes its ſtrength was declining apace, the power of the French king ſeemed to derive renewed vigour from the very efforts which had been made for its deſtruction, and from the univerſality of that diſtreſs to which his ſubjects were reduced. The ceſſation of labour and manufactures, domeſtic poverty and wretchedneſs, facilitated the recruiting of his armies; and the general ſcarcity of ſpecie ſuggeſted, to an arbitrary prince, ſucceſsful expedients for drawing the ſmall reverſion of it, that was ſtill afloat, into the royal exchequer [46].

[45] Barré, tom. x. p. 524. "The allies "were ſo jealous of one another, knowing "the readineſs of France to make propoſals "for peace, that they kept ſpies upon one "another in every court, to watch, if ſo much "as a new face appeared. As the Engliſh "had frequently expreſſed their uneaſineſs on "that account, ſo had the Dutch alternately "to them; and it was not without great ma-"nagement, that anv underſtanding was pre-"ſerved between them." Meſmager's Negociations, p. 18. Lond. 1717.

A great proportion of the troops in the pay of Holland, and ſome in the pay of England, were hired from the German princes, which juſtified them in pleading their utter incapacity to furniſh the quotas required of them agreeably to the regulations of the empire. State of the War. Lond. 1708.

[46] Hiſtoire de Louis, tom. vi. p. 174.

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Although the French king had hitherto delayed to ſend troops into Scotland, in compliance with the deſire of the friends of the exiled prince, yet he ſtill cheriſhed their hopes, by promiſing them every kind of aſſiſtance, as ſoon as an inſurrection could be attempted with any probable view of ſucceſs. From late occurrences, the criſis for ſuch an attempt was faſt approaching. The general diſaffection occaſioned by the union, ſtrengthened the hands of the Jacobites, and afforded James the proſpect of ſupport from many perſons of diſtinction hitherto unfriendly to his cauſe.

Some of the nobility who had been inſtrumental in promoting the treaty, diſappointed of the emoluments and honours which they expected as the reward of their ſervices, expreſſed ſentiments of penitence and recantation; and gave intimation to the friends of the chevalier, of their readineſs to co-operate in demoliſhing their own work, by the deſperate exploit of dethroning the queen, or changing the ſucceſſion. The Cameronians, and not a few of the members of the eſtabliſhed church, fearful of the fatal conſequences of ſubjection to a legiſlature in which the intereſts of epiſcopacy preponderated, began to diſcover a ſpirit of inſurrection, and, provided they could obtain ſufficient ſecurity for the protection of the preſbyterian religion, they profeſſed their willingneſs to transfer their allegiance to the hereditary prince, and even to take an active part in fixing him upon the throne [47].

Theſe circumſtances, ſo flattering to their hopes, were communicated to Lewis by his agents in Scotland, and particularly by colonel Hooke, who had been ſent over to hold conſultations with the leaders of the Jacobites, and to cloſe with any feaſible propoſals for ſeating the chevalier upon the throne of his fathers. It was repreſented to Hooke, that if Lewis would conſent to tranſport the pretender into Scotland with eight thouſand men and fifteen thouſand ſtand of arms, and to ſupply him with a hundred thouſand piſtoles, £. 75,000.

[47] Hooke, paſſim.

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his friends there would undertake to raiſe an armed force of twenty-five thouſand foot and five thouſand horſe. The places moſt convenient for the rendezvous of their men were ſpecified, and the plan of their operations was deſcribed. It was propoſed, that the inſurgents, upon receiving the reinforcements demanded from France, ſhould march to Newcaſtle, which, being weakly fortified, would eaſily fall into their hands, and reduce the metropolis to the utmoſt diſtreſs, by preventing its being ſupplied with coals. The unprotected ſtate of England, from the abſence of the troops, the favourable diſpoſition of many of the people, the ſecret good wiſhes of ſome of the preſent miniſters, and the diſcontents of the Iriſh, afforded the moſt ſolid ground for expecting the ſpeedy and cordial ſubmiſſion of all the three kingdoms to the authority of their rightful ſovereign [48]. But though their higheſt expectations might not be immediately fulfilled, it ſeemed probable that the queen, alarmed by the proſpect of a civil war, and not altogether dead to the impulſe of natural affection, would gladly liſten to ſome reaſonable plan of accommodation with her brother, and that his claim, in that caſe, might obtain the ſanction of legiſlative authority [49]. Calculating, however, upon the failure of all theſe hopes, there ſtill remained a certain and abundant recompence to the French king for his interpoſition. The recall of the Britiſh troops from the Netherlands, and the ſubverſion of public credit in England, upon which the ſupplies and activity of all the confederate powers chiefly depended, would operate to the advantage of the French arms in every quarter. Theſe conſiderations were ſtated in a memorial ſubſcribed by four noblemen and ſix gentlemen of large property and influence, and delivered to colonel Hooke for the inſpection of Lewis; but many beſides the ſubſcribers were privy to the conſultations with the

[48] Ker, vol. i. p. 57. 61. 67. Macpherſon's State Papers, 1707, 8. Lockhart, p. 366. There were only, at this time, five thouſand regular troops in England, and two thouſand five hundred in Scotland. Lockhart, p. 364, 5.

[49] Berwick, vol. ii. p. 56. Sir J. Clerk's MSS.

colonel,

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colonel, and aſſured him of their hearty aſſent to the engagements which it contained [50].

Whether it was owing to the French king's being diſpleaſed with the peremptory demand for a pecuniary ſupply, inſerted in the memorial contrary to the advice of his agent, who thought that it implied an unbecoming diſtruſt of his maſter's generoſity [51], or that Lewis himſelf was ſuſpicious of the ſincerity and influence of his correſpondents, or doubtful of the ſcheme redounding materially to his own advantage, he ſtill heſitated for ſome time about complying with their ſolicitations.

The fortune of the war, as well as the ſtate of Scotland, at length determined him to favour an inſurrection there. The evacuation of the Milaneſe, and the recovery of Arragon and Valencia, circumſcribed the ſcene of military operations on the continent, and put Lewis in a better condition for ſparing a part of his troops; while the attempt made upon Toulon, by the inſtigation of the court of England, ſuggeſted the idea of retaliating, by a deſcent upon the coaſt of Scotland. In the proſecution of this deſign, twelve battalions, under the command of the marquis de Gace and the young chevalier, ſet ſail from Dunkirk with a fleet of eight large ſhips of war, and twenty-four frigates, beſides tranſports and long-boats [52]. The command of the fleet was intruſted to the count de Forbin, whoſe late ſucceſs, more than his cordiality in the ſervice, encouraged the hopes of the projectors of this expedition [53]. This fleet put to ſea on the 6th of March, and arrived on the 13th at the

[50] Hooke, p. 83, paſſim. Macpherſon's State Papers, 1708.

[51] Hooke, 56—60.

[52] When the French king bid the pretender farewel, he ſaid he hoped never to ſee him again. Mr. Dayrole, the Engliſh reſident at the Hague, in a letter to Mr. Secretary Boyle, 24th April, N. S. 1708, mentions the report of a letter having been intercepted from the pope to one Vandenbourghla, a baniſhed jeſuit in the United Provinces, declaring that the former had given aſſiſtance to the expedition; by which means he hoped to re-eſtabliſh the jeſuits, and to bring the provinces to what terms he pleaſed. Abſtract of Mr. Dayrole's Letters, MSS. This fact is alſo mentioned in a letter, 19th April, from Mr. Palmer, reſident at Berlin, to Mr. Secretary Boyle. Abſtract of Mr. Palmer's Letters from Berlin to Mr. Secretary Boyle. MSS.

[53] Villars, tom. iii. p. 119. Forbin.

mouth

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mouth of the Frith of Forth, which the commander intended to enter and to land the troops at Dunbar or Leith; but being informed of the near approach of ſir George Byng, with a fleet far ſuperior to his own, he ſteered along the north coaſt of Scotland. Sir George purſued and took the Saliſbury, an Engliſh prize in the French ſervice; and finding it impoſſible to come up with the reſt, he returned, and lay at anchor in the road of Leith, till he received intelligence of Forbin's having got back to Dunkirk [54].

24th March. 7th April.

The effects of this abortive expedition evince, that the expectations founded upon it were far from being viſionary and preſumptuous; and that, if it had been conducted with wiſdom, and ſuſtained by an adequate force, it might have proved extremely injurious to England and her allies. The court was appalled, and a panic and confuſion ſpread over all the kingdom. The reinforcements, deſtined for Spain, were countermanded; ſeveral regiments were ordered to march with the utmoſt diſpatch into Scotland; the Engliſh troops in the Netherlands were directed to be in readineſs to embark at Oſtend for England; and an unprecedented run upon the bank alarmed the exchequer, and diſturbed the foreign remittances [55].

The allies had obtained certain information of the French king's intention to puſh the war with the greateſt vigour in the Netherlands; and that the invaſion of Scotland had been projected with a view to draw off the Engliſh forces from that quarter. Though that expedition had failed, the hopes of Lewis were ſtill upheld by the ſuperiority of his army, and by his confidence in the ſucceſs of his intrigues, carried on for recovering the towns in the Spaniſh

[54] Lockhart, 369. Letters of Berniere. Hooke, p. 137. Quincy, tom. v. p. 479. 482. Lives of the Admirals, vol. iii. p. 186. Letter of De Gace to M. Chamillard. Sir George's fleet conſiſted of forty ſhips of the line beſides frigates.

[55] Cunningham, vol. ii. p. 154. Hooke, p. 218. Sir John Clerk, who was in London at this time, ſays, "that the conſternation "was very great, and the reaſon of it was, "the great men were jealous of one another; "for nobody imagined that the pretender "would venture over, merely for the encou-"ragement he had in Scotland." Sir J. Clerk's MSS.. The French endeavoured to keep alive this panic, by giving out, that Forbin was again to invade Scotland. Dayrole's Letters to Mr. Boyle, paſſim. MSS.

Nether-

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Netherlands, which had been ſubdued by the confederates. It was therefore determined, at a private conſultation held at Treves, between the duke of Marlborough, the deputies of the States, and prince Eugene, that the principal operations of the allies ſhould be directed, in the moſt effectual manner, for counteracting the plans and diſappointing the expectations of Lewis; and that the combined army, in the Netherlands, ſhould be augmented by as many of the Imperialiſts as could be ſpared from the ſervice on the Upper Rhine, by all the Heſſians and Saxons in the pay of Britain, and the troops of the elector palatine [56].

1708. 12th April.

As this plan, however wiſely concerted, tended to diminiſh the emperor's army on the Upper Rhine, and to expoſe his frontiers, it was foreſeen that objections would be made to it both by him and the elector of Hanover, whoſe reputation, as a general, depended upon the force under his command. But theſe were happily ſurmounted by the interpoſition of the duke of Marlborough and prince Eugene. The former waited upon the elector, and the latter viſited the court of Vienna; and, by addreſs and arguments, prevailed upon both to acquieſce in their ſcheme of the war as moſt conducive to the united intereſts of the allies [57].

The duke of Marlborough, on his return from Hanover, repaired to the camp at Billinghen, which he appointed for the rendezvous of the troops. Though it had been ſecretly agreed, that prince Eugene was to join the duke with a large reinforcement, yet it was given out that the former was to act with a ſeparate army on the Moſelle, which obliged the duke of Berwick to remain there with a conſiderable force [58]. The duke of Vendoſme, having aſſembled the French and Spaniſh troops at Mons, advanced to Soignies, within a

26th May.

[56] Lediard, vol. ii. p. 10. The elector engaged to employ all his troops in the ſervice of the confederates, upon the condition of the emperor's inveſting him with the palatinate, of which he had deprived the elector of Bavaria.

[57] Dayrole's Letters to Mr. Boyle, 17th, 24th April, 1ſt May, MSS. The elector of Hanover would be the more eaſily reconciled to this plan, on account of his ſon's commencing his military career under the auſpices of ſuch an illuſtrious patron and example as the duke of Marlborough. Hanoverian Papers, 1708.

[58] Military Hiſtory of Prince Eugene, p. 339. Lediard, vol. ii. p. 14.

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few leagues of the confederate army, and was joined by the duke of Burgundy, appointed to the chief command [59].

The two armies continued for ſeveral weeks in a ſtate of inaction, ſometimes ſhifting their camps, and often approaching ſo near as to induce the duke of Marlborough to expect an engagement, which however was artfully avoided by the French.

On the 5th of July, a ſmall party of the French troops got poſſeſſion of the town of Ghent, by a ſtratagem which probably never would have been attempted, had not they been encouraged by the previous aſſurance of a favourable reception from the inhabitants. Half a dozen of ſoldiers, pretending to have deſerted from the French camp, were admitted into the town by the citizens, whoſe turn it was to be upon guard; more followed upon the ſame pretext, and at length the brigadier, who had formerly been a magiſtrate in the place, entered with a ſmall body of troops, and, by mere threats overawing all reſiſtance, took poſſeſſion of the town in the name of king Philip [60]. The governor of the caſtle alſo ſurrendered it upon terms of capitulation. The ſame detachment next proceeded to Bruges, where the gates were thrown open to them; and fort Plaſſendal, on the canal leading from that town to Oſtend, was taken by aſſault [61].

5th July.

The duke of Marlborough, ſuſpecting the enemy's intentions, had ſent out a detachment to cover Ghent; but the rapidity of their conqueſts outran and fruſtrated any defenſive interpoſition. This ſucceſs of the French opened the near proſpect of their becoming maſters of Dutch Flanders; and they commenced a predatory war in the adjacent diſtricts [62].

While the duke of Vendoſme was proſecuting theſe conqueſts, the count Chemerault was occupied in breaking down the bridges over the Dender and the Schelde, and had reached Oudenarde, the only

[59] Quincy, tom. v. p. 486.
[60] St. Simon, tom. vii. p. 358.
[61] Hiſtory of the Campaign 1708, p. 65.
[62] Lediard, vol. ii. p. 20. Life of Argyle, p. 50.

remaining

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remaining paſſage over the laſt. The capture of this city muſt have cut off the communication of the allies with Menin and Courtray, and ſecured to the French the whole country lying between the Schelde and the Lys[63]. An event, ſo threatening to the confederates, was prevented by monſieur de Chanclos throwing himſelf into the town with a reinforcement of troops; and by the confederate army advancing with uncommon diſpatch to Herfelingen, and getting poſſeſſion of the camp of Leſſines, which the French intended to occupy for covering the ſiege of Oudenarde[64]. 19th July. Warm diſputes now took place between the French generals, with reſpect to the plan to be adopted in conſequence of this diſappointment, and produced fluctuation and animoſity, which overturned all their early ſucceſs, and afforded an illuſtrious triumph to the confederate army. The duke of Vendoſme was of opinion that the moſt important object was to prevent the confederates from paſſing the Dender; and the duke of Burgundy thought it more expedient to retreat to Ghent[65].

The French had paſſed the Dender with the intention, as it ſhould ſeem, of carrying into execution the firſt propoſal; but this being ſtill oppoſed by the duke of Burgundy, ſeconded by the majority of commanders, who proſtituted their ſentiments to flatter the vanity of a young general of royal blood, orders were ſuddenly iſſued for the army to paſs the Schelde, and make good their retreat to Ghent[66].

By this loſs of time on the part of the French, and uncommon expedition on that of the confederates, the latter were enabled to paſs

[63] Quincy, tom. v. p. 493.

[64] Hiſtory of the Campaign, p. 9. Lediard, vol. ii. p. 22. Oudenarde, the metropolis of the diſtrict of that name, is in the earldom of Flanders, and ſituated upon the Schelde, thirteen miles ſouth of Ghent, and thirteen N. W. of Aith; thirty-ſix weſt of Bruſſels, and thirty-ſeven north of Mons.

[65] Quincy, tom. v. p. 494. Id. Military Hiſtory of Eugene, p. 90. St. Simon, tom. vii. p. 312. 346.

[66] Letter to Horace Walpole, 12th July 1708, MSS. The accounts of the different hiſtorians, relative to this affair, are ſomewhat obſcure; and what I have ſaid is rather matter of conjecture, than plainly warranted by any of them. Compare Quincy, tom. v. p. 494. Life of Eugene, p. 90. Lediard, vol. ii. p. 25. Hiſtoire de Louis, tom. vi. p. 188.

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the Schelde with little obſtruction, and to get between the French army and their lines, which run from Liſle to Tournay[67]. In conſequence of this poſition of the allies, an engagement was no longer a matter of choice to the enemy, whoſe ſuperiority of numbers inſpired them with the hopes of ſucceſs, but the ſame jealouſy between the generals, which induced the neceſſity of their engaging, ſtill confounded their plans, with reſpect to the diſpoſition of the troops; and diſconcerted them in the moment of action. The French began the attack, and then withdrew from it. The generals alternately thwarted the orders of one another after its commencement; and, from theſe circumſtances, the allies, though they experienced various fortune in the courſe of the engagement, derived a deciſive advantage; and the evening coming on completely eſtabliſhed their triumph, by the multitude of priſoners which fell into their hands[68]. Prince Eugene, with a detachment from the army of the Rhine, had previouſly joined the duke of Marlborough at Leſſines, and ſhared in the glory of this victory. The electoral prince of Hanover, and the chevalier de St. George, fought with great valour on oppoſite ſides at the battle of Oudenarde; and, in the deciſion of that event, they experienced a preſage of the iſſue of a perſonal competition far more important, which was to continue during their lives[69].

11th July.

After

[67] Hiſtory of the Campaign, p. 9. Quincy, tom. v. p. 495. The French army conſiſted of one hundred and twenty-four battalions, and one hundred and ninety-ſeven ſquadrons; that of the confederates, of one hundred and twelve battalions, and one hundred and eighty ſquadrons. Lediard, vol. ii. p. 25. The author of the Life of Eugene ſays, that the latter was not inferior to the former; and that, though it did not conſiſt of as many battalions, it had full as many men. Military Hiſtory of Eugene, p. 92.

[68] Id. Torcy, vol. i. p. 114. Lediard, vol. ii. p. 25. The battle of Oudenarde was ſo irregular, and ſo much interrupted by incloſures and hedges, that I could not pretend to give any deſcription of it without running into prolixity incompatible with the plan of this work. The loſs of the enemy, by the largeſt account, amounted to nine thouſand eight hundred priſoners, four thouſand two hundred killed and wounded, and two thouſand four hundred deſerters. The allies had one thouſand killed, and above two hundred wounded. Lediard, vol. ii. p. 31.

[69] The electoral prince of Hanover began the attack with the German horſe, and fought ſword in hand in the heat of the battle. Lediard, vol. ii. p. 26. Cunningham, vol. ii. p. 167.

"If we may believe ſome of the French "writers, the dukes of Burgundy and Berry, "and the pretender, had a great ſhare in this "battle; but, if the Dutch accounts are to "be

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After the battle of Oudenarde, the French generals retreated with their ſhattered army to Ghent, and encamped along the canal to Bruges. The confederates paſſed the Lys, and were employed in levelling the French lines between Ypres and Warneton; and in raiſing contributions in Artois and Picardy. Theſe depredations were avenged by the ravages of the French in Flanders. After taking the forts of Redhouſe and Plaſſendal, they made themſelves maſters of the Dutch lines at Birvleit, the inferiority of the troops there rendering it unſafe to attempt any reſiſtance; and entered the iſland of Cadſand, where they deſtroyed many of the houſes, and carried off a rich booty of cattle and proviſions[70].

July.

The uncertain deſigns of the confederates kept the French for ſome time in ſuſpenſe, and their penetrating into Artois and Picardy occaſioned great conſternation in the city of Paris. The duke of

" be credited, they, or at leaſt the two latter " only beheld the engagement from the ſteeple " of an adjacent village, and conſulted their " ſafety by a timely retreat." Tindal, vol. viii. p. 32.

I tranſcribe this as an example of the mean partiality of party writers. It was the faſhion, both on the continent and in England, while the Hanoverian ſucceſſion was depending, (I ſpeak of the hiſtorians who were on the ſide of the confederacy,) to embelliſh every fact redounding to the honour of that family, and to ſuppreſs or miſrepreſent every circumſtance favourable to the character of its antagoniſt, as if the merits of this important queſtion had reſted upon the perſonal qualities of the competitors. Although it may be unavailing to the unfortunate, yet every hiſtorian of candour and ſenſibility will be anxiouſly ſcrupulous, not to withhold any praiſe which appears juſtly due to them. Compaſſion is even gratified by the diſcovery of every fact which may have mitigated the ſufferings of thoſe perſons, who, without miſconduct or guilt, have been doomed to an uncommon ſhare of diſappointment and mortification. The duke of Berwick gives the following account of the behaviour of the prince at the battle of Oudenarde: " * * * * " (the prince) ſerved the campaign *incognito* " with the duke of Burgundy, and was pre- " ſent at the battle of Oudenarde, where he " ſhewed much courage and keenneſs; and, by " his affability, acquired the friendſhip of every " body; for we are naturally prejudiced in fa- " vour of the unfortunate, eſpecially when they " are ſo without any fault of theirs, and when, " in other reſpects, they behave themſelves " well." Berwick, vol. ii. p. 57. See alſo a Letter from a French Officer, and a Letter from the Duke of Vendoſme to the French King. If we may believe St. Simon, the behaviour of the French princes to the chevalier, during this campaign, did little honour to their delicacy and feelings. They ſhewed him no more reſpect than as if he had been a private perſon; ſeldom ſpoke to him; and allowed him to wait in the antichamber with the common crowd; which gave great offence, as the chevalier had acquitted himſelf ſo well during the campaign, and obtained the eſteem and affection of the whole army. St. Simon, tom. i. p. 314.

[70] Lediard, vol. ii. p. 48, &c. Quincy, tom. v. p. 508. Hiſtory of the Campaign, p. 21.

Marlborough,

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Marlborough, if he really had any deſign of advancing into the interior of France, was over-ruled by the anxious importunity of prince Eugene for undertaking the ſiege of Liſle, which, conſidering the excellence of its fortifications, and the ſtrength of its garriſon, was an enterpriſe of very doubtful ſucceſs[71]. While prince Eugene
13th Aug. ſat down before the town, the duke of Marlborough encamped with the main army at a convenient diſtance, to cover the beſieging army, and ſend out detachments for convoying the artillery and proviſions neceſſary for its ſupply; which, as the French had poſſeſſion of Ghent, were to be brought from Oſtend, through narrow paſſes and difficult roads, where they might eaſily be intercepted by the enemy[72].

The plan of this work does not admit of my entering into a deſcription of the progreſſive operations of the allies in carrying on the ſiege of Liſle, nor of the many brave exploits of the defenders, which do equal honour to the commanders in both armies; and particularly to the marſhal Bouflers who conducted its defence[73]; and which, perhaps, render it more inſtructive to men of the military profeſſion than the hiſtory of any other ſiege that occurs in the courſe of this war. The duke of Burgundy, reinforced by a ſtrong detachment under the duke of Berwick, made various efforts for raiſing the ſiege, by attacking the confederates, by throwing freſh troops and proviſions into the town, and attempting to cut off the reinforcements and convoys ſent to the grand army; but the conſpicuous good fortune, not leſs than the vigilance and intrepidity of the beſiegers, prevailed againſt every ſtratagem and aſſault of the
12th Oct. enemy[74]. The town of Liſle ſurrendered upon terms of capitulation

[71] Quincy, tom. v. p. 510. Liſle, the capital of French Flanders, was, at that time, the emporium of trade in the Low Countries; and above all, valuable as the key to France on that ſide. Prince Eugene had fifty battalions, and the duke of Marlborough ſixty-five thouſand men under his command.

[72] Id. p. 514. Lediard, vol. ii. p. 53.

[73] St. Simon, vol. vii. p. 105.

[74] Quincy, tom. v. p. 520. Among many brave exploits performed by the beſiegers, that of general Webb deſerves to be particularly diſtinguiſhed. With a detachment of the allies, conſiſting of not more than ſix thouſand men,

lation after a siege of three months, and the citadel two months after the town. The allies paid dear for this conquest; not less than twelve thousand of their troops were cut off, or perished in consequence of wounds and disease [75].

While the allied army was occupied before Lisle, the French obtained possession of Lessinghen and fort Dixmud [76], and the elector of Bavaria advanced to Brussels, invited by private assurances of the favourable dispositions of the inhabitants [77]. Finding himself disappointed, he endeavoured to prevail by force, and began to bombard the city; but upon receiving intelligence, that the duke of Marlborough and prince Eugene had passed the Schelde, and were approaching to raise the siege, he fled with precipitancy to Namur, leaving his cannon and ammunition [78]. 23d Nov.

The duke of Marlborough closed this memorable campaign with the siege of Ghent, which surrendered on the third day after it was attacked. Upon the news of this event, the French evacuated Bruges, Plassendal, and Lessinghen, so that the success of the allies in the Netherlands was without any alloy or drawback at the end of the campaign 1708 [79]. 24th Dec.

The greatest admirers of the duke of Marlborough, who are circumstantially acquainted with his history, must candidly acknowledge, that his good fortune, as well as his merit, surpassed that of any other general; and that he was signally indebted to the former for the successful conclusion of this campaign. After the retreat of

men, he engaged, 27th September, a body of French troops, amounting to twenty-four thousand, under the command of the count de la Motte, at Wynendale, which had been sent to intercept a great convoy of ammunition from Ostend to the camp of the besiegers. The battle lasted two hours, after which the French retreated, leaving between four and five thousand dead upon the field. Nine hundred of the confederates were killed and wounded. History of the Campaign, p. 47.

[75] Lediard, vol. ii. p. 85. 106. Quincy, tom. v. p. 580. During this siege, Auverquerque, commander of the Dutch forces, died in the camp, having been indisposed for several months before. He had spent fifty campaigns in active service, in every one of which he acquitted himself with great honour.

[76] Quincy, tom. v. p. 588.

[77] Id. Barré, tom. x. p. 532.

[78] Kane, p. 81. Lediard, vol. ii. p. 94.

[79] Lediard, vol. ii. p. 121. Histoire de Louis, tom. vi. p. 279.

the

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the elector of Bavaria from Bruſſels, the French king ſent peremptory orders to the duke of Vendoſme to conduct his army into winter quarters, not thinking it poſſible that the duke of Marlborough could ſo far deviate from his wonted precaution, as to riſk any enterpriſe of importance at ſuch an advanced ſeaſon [80]. Not only the failure of the attempt, but the loſs of a great part of his army before Ghent, muſt have been the conſequence of a change in the weather, an event which was highly probable, and from which, after all, he eſcaped by the narroweſt chance. For no ſooner were the articles ſigned, than the ſevereſt froſt ever remembered there ſet in, and, within the ſpace of twenty-four hours, the rivers were frozen ſo hard as to bear loaded waggons, and the feet of the horſes were frozen to the ground [81].

26th Dec.

The campaign on the Upper Rhine paſſed without any enterpriſe upon either ſide worthy of record. The ſucceſs of the allies in Flanders brought demands upon the elector of Bavaria for large draughts from his army, which reduced it to an equality with that of the elector of Hanover; ſo that the exertions of both were confined merely to the fortifying of their lines, and guarding againſt the dangers of ſtratagem or ſurpriſe.

The great preparations made by the duke of Savoy, during the winter, flattered the allies with ſanguine hopes of his activity in the campaign 1708. It was even expected that he would have formed a junction with the German army on the Upper Rhine, and made an impreſſion on the dominions of France, on the ſide of Alſace [82]. The gratification of his private intereſt, by making effectual his demands upon the allies, was dearer to him than either perſonal glory,

[80] Berwick, vol. ii. p. 51, 2.

[81] Cunningham, vol. ii. p. 192. Salmon, vol. xxvi. p. 3. This was the ſevereſt ſeaſon over all Europe, remembered by any perſon then living. In England, the froſt began the night before Chriſtmas, and laſted with ſhort intervals for three months; great quantities of ſnow fell in that period; a great proportion of the cattle and ſheep, and moſt of the birds, periſhed; and the ſummer which followed, being cold and wet, the crop was ſcanty, and a general ſcarcity prevailed.

[82] Cunningham, vol. ii. p. 193.

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or the proſperity of the common cauſe; and proved the occaſion both of abridging the period of his ſervices, and of directing them to objects which redounded principally to his own ſecurity and advantage. He did not put his army in motion till the end of July, when he made a feint of penetrating into Dauphiny, which drew the attention of the marſhal de Villars to that quarter, and rendered it eaſy for the duke to take the forts of Exilles and Perouſa, and to make himſelf maſter of the valley of St. Martin and Feneſtrelle, which covered Piedmont [83].

When we conſider how ſhamefully the affairs of king Charles were neglected by the reſt of the allies, we are rather ſurpriſed that he ſhould have been able to preſerve the ſmalleſt remnant of authority in Spain. The emperor, far from diſcovering any favour to his brother, did not even afford the ſuccours due to him, either upon the footing of juſtice, or from a fair calculation of the benefits which he himſelf might have reaped by obliging France to employ a greater proportion of her force in the diſtant country of Spain. So partial was the miniſtry to the war in the Netherlands, or rather to the enterpriſes of the duke of Marlborough wherever they were conducted, that the very troops, deſtined by the parliament for the Spaniſh and Portugueſe ſervice, were countermanded after embarkation, and tranſported to Oſtend to augment the army at Liſle [84].

Fortune

[83] Villars, tom. iii. p. 126. Hiſtoire de Louis, tom. vi. p. 201. Some hiſtorians aſcribe the duke's delay in taking the field to the ſeverity of the weather. As it is expreſsly mentioned by the greater number, that he was reſolved not to act till the emperor inveſted him with Montferrat; that he demanded his ſubſidy to be paid by the Engliſh and Dutch before quitting his winter quarters; and that he, at this time, fell under the ſuſpicion of the allies, in ſo much that the Engliſh envoy at Turin, probably by the duke's requeſt, pledged himſelf for his fidelity, I think myſelf warranted for the conſtruction I have put upon his conduct. See Quincy, Tindal, Hiſtoire de Louis, &c. particularly Cunningham, vol. ii. p. 192. Salmon, vol. xxvi. p. 7.

[84] Life of Argyle, p. 55. The commanders in Spain complained heavily of the diſreſpect which they met with from the miniſters in England. The officers whom they appointed upon the ſpot, as the fitteſt, from their experience, for the ſervice allotted them, were often ſuperſeded by raw ones ſent from England. Letter from General Carpenter to Mr. St. John, 17th November 1707;——from General Stanhope to Mr. Walpole, &c. MSS. The Spaniſh and Portugueſe horſe were in poor condition; nor were magazines provided

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Fortune was favourable to Charles this campaign. The vigilant and prudent conduct of the prince of Darmſtadt kept the duke of Noailles at bay, and prevented him from attempting hoſtilities on the ſide of Girona, and the troops, afterwards detached from his army into Provence, utterly diſabled him from proſecuting an offenſive war. The ſucceſs of ſir John Leake, in taking and diſperſing the ſhips loaded with proviſions for the principal army commanded by the duke of Orleans, cramped the operations of the latter, and re-

July. ſtricted his ſucceſs to the taking the towns of Tortoſa, Denia, and Alicant, and ravaging the ſurrounding country [85].

Theſe advantages of the French in Spain were counterbalanced by the reduction of Sardinia and Minorca. The city of Cagliari

Auguſt. ſurrendered to ſir J. Leake and the Conde de Fuentes, after a few bombs had been thrown into it; upon which all the deputies of the ſtates ſubmitted to king Charles, and gave a ſeaſonable proof of their ſincerity, by furniſhing a large ſupply of money for his ſervice [86]. As major-general Stanhope had the honour of projecting the expe-

October. dition againſt Minorca, ſo the ſucceſsful execution of it was principally owing to his conduct and valour [87].

Little

and furniſhed with ſuitable neceſſaries for the campaign. Letter from General Carpenter to Mr. Walpole, Barcelona, 10th April 1708. MSS. The abſence of officers in England was alſo a great prejudice to the ſervice in Spain. "That matter," ſays general Stanhope, "is become ſo great a nuiſance, that I "muſt earneſtly recommend it to you, to en- "deavour to remove it by all poſſible means, "and to procure the officers to be ſent to their "poſts as faſt as you can, which would eaſe "you from being importuned by their friends "for preferment to thoſe who are leaſt de- "ſerving of it, and make others ſerve with "more cheerfulneſs." Letter from General Stanhope to Mr. Walpole, Barcelona, 26th June 1708. MSS. The inadequacy of pay is alſo often complained of by the commanders. Letters from the ſame, paſſim. MSS.

[85] Lives of the Admirals, vol. iii. p. 191. Tindal, vol. viii. p. 106. The confidence of king Philip was now withdrawn from the duke of Orleans, from a jealouſy that he had a view of obtaining the crown of Spain for himſelf. Philip imparted his ſuſpicions to his grandfather, and the duke was ſoon after recalled. Voltaire's Age, vol. i. p. 346. Duclos. tom. i. p. 31.

[86] Lives of the Admirals, vol. iii. p. 193.

[87] Id. p. 194. The author of the Life of Sir John Leake contends, that ſir John was the firſt projector of this expedition; which, however, according to the general ſenſe of the nation, was aſcribed to general Stanhope. It is certain that the general had great expectations from the vigorous co-operations of ſir John Leake; and it appears, from the event, that theſe were not diſappointed. Letter from General

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Little was done in Portugal this ſeaſon. The marquis de Fronteira, at the head of the Portugueſe and Engliſh troops, oppoſed the French and Spaniſh army, commanded by the marquis de Bais in Andaluſia, and offered him battle, which he declined. Moura and Serpa, abandoned by the Spaniards, were occupied by the Portugueſe, and put in a ſtate of defence; after which the latter made a ſucceſsful irruption into Andaluſia [88].

The pope having diſcovered a great partiality to the French intereſt, the emperor renewed ſeveral claims upon his dominions, which induced him to make preparations for his defence. The Imperial troops entered the eccleſiaſtical ſtates, and made great ravages there; and the Engliſh fleet appearing at the ſame time upon the Italian coaſt to ſecond their allies, his holineſs was reluctantly conſtrained to ſubmit to the demands of the emperor, and to acknowledge his brother as king of Spain [89].

The naval affairs of England were proſperous during this campaign. In conſequence of the late inquiry in parliament concerning the management of the navy, greater attention than formerly had been paid to provide the merchant ſhips with convoys, and their loſs was inconſiderable.

Commodore Wager watched the Spaniſh galleons with perſevering vigilance; and at length came up with them at Carthagena. An engagement enſued, in which the Spaniſh admiral ſhip blew up, and the rear admiral ſtruck to the Engliſh [90]. 31ſt May.

Prince George of Denmark, having languiſhed for ſeveral months under a complicated diſorder of aſthma and dropſy, expired on the 28th October 1708, in the 56th of his age. This prince was more diſtinguiſhed by the goodneſs of his diſpoſitions, than by any natural or improved talents. He was modeſt, interfered little in public affairs during the three preceding reigns, and never devoted himſelf

[88] General Stanhope to Mr. Walpole, Barcelona, 26th June, 1708. MSS. Walpole Papers.
[89] Idem.
[90] Hiſtoire de Louis, tom. vi. p. 203. Id. 205.

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to any party. Although he felt a partiality for the Tories on account of their ſervices to the princeſs, yet his gratitude never betrayed him into any exceſs of complaiſance to them, inconſiſtent with propriety and honour: for he maintained, perhaps, as much as was poſſible in his ſtation, a neutrality in all thoſe diſputes which related merely to the intereſts of contending factions; and in the general tenour of his conduct, diſplayed a prudent accommodation to the ſtate of public affairs. The important ſtation of lord high admiral, to which he was promoted at the queen's acceſſion, rather detracted from that eſteem to which his private virtues would have entitled him, had he been contented with mere honorary dignity. His inexperience in buſineſs, his ignorance of the characters of men and of Engliſh manners, and a diffidence of his own abilities, which ought to have reſtrained him from accepting any public office, rendered him entirely dependent upon the advice of others, who abuſed the aſcendency they had acquired over him to the prejudice of that department with which he was intruſted[91].

[91] The earl of Pembroke was promoted, 25th November, to the office of lord high admiral, and the earl of Wharton ſucceeded him as lord-lieutenant of Ireland, and lord Somers as preſident of the council.

One very important regulation was introduced into the naval ſervice during the prince's adminiſtration; namely, the preferring the captains of the navy to the rank of admirals according to ſeniority. This was imputed to the advice of ſir David Mitchel, one of the prince's council, who had been preſſed into the ſervice when a boy; and having riſen to the higheſt rank without any recommendation but merit, employed his influence to reward it in others. MS. Characters.

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Circumſtances favourable to the Whigs at the General Election.—Second Parliament of Britain.—Addreſſes.—Partiality of the Whigs in deciding the Controverted Elections.—Caſes from Scotland—of Lord Haddow—of the Duke of Queenſberry.—Bill for the Naturalization of Foreign Proteſtants.—Arguments.—The Treaſon Laws of England extended to Scotland.—Supplies.—The Army augmented.—The Duke of Marlborough thanked—General Webb thanked.—A remarkable Addreſs to the Queen.—A Pamphlet againſt the Teſt condemned.—Act for preſerving the Privileges of Foreign Ambaſſadors.—Singular Circumſtances which gave riſe to it.—Act againſt laying Wagers on the Events of the War.—Act of Grace.—Parliament prorogued.—The Convocation not permitted to proceed in Buſineſs.—Campaign 1709.—Diſtreſs of France—renders the King anxious for Peace.—Negotiations for that Purpoſe.—Conferences between the French and Dutch Miniſters at the Hague.—The Duke of Marlborough and Lord Townſhend ſent there as Plenipotentiaries for England.—Extravagant Demands of the Dutch and Engliſh.—Preliminaries—objected to by the French King.—Exertions made by France for continuing the War.—Motions of the Confederate Troops under the Duke of Marlborough.—Siege of Tournay.—Operations of Villars.—Progreſs of the Duke of Marlborough after the Surrender of Tournay.—Siege of Mons.—Battle of Malplaquet.—Mons taken.—Campaign on the Upper Rhine—in Italy—in Spain.—Naval Affairs.—Renewal of Negotiations for Peace.—The Barrier Treaty.

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VARIOUS circumſtances concurred to render the influence of the Whigs, in the courſe of the elections, more powerful than it had been at any former period ſince the commencement of this reign. Their late triumph over their antagoniſts ſeemed to give them a ſtability independent of the ſovereign; and the diſpoſal of places, vacant by diſmiſſion and the death of prince George, enabled them to augment their ſtrength, and to conſummate the union of

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of adminiſtration [1]. The recent attempt of an invaſion, and the detection of conſpiracies, ſtimulated the friends of the proteſtant ſucceſſion to exert their intereſt in ſupport of the whig candidates, who were known to be anxiouſly vigilant for its ſecurity [2]. The influence of the court was now entirely occupied by the junto, which had driven from the preſence of the queen thoſe ſecret counſellors who might have availed themſelves of her name for oppoſing the elections of miniſterial favourites.

The inclinations of the miniſters were leſs conſulted in the Scottiſh elections. The pre-eminent influence of the duke of Queenſberry had given offence to ſome of the nobility, who had been highly ſerviceable to the court by their exertions to promote the union; and was now reſented by a keen oppoſition to the candidates recommended by him [3]. In the liſt of the repreſentatives from Scotland, there were the names of ſeveral commoners hoſtile to the preſent adminiſtration; and even of perſons ſuſpected of being unfriendly to the revolution ſettlement; but their influence was not felt in the ſcale againſt the weight of whig intereſt.

Her majeſty being rendered incapable of attending to public duty by her late domeſtic affliction, commiſſioners were appointed for repreſenting her perſon during the enſuing ſeſſion of parliament, which commenced on the 18th November 1708 [4]. The commons made choice of ſir Richard Onſlow for their ſpeaker, whoſe experience, great abilities, and zeal for the proteſtant ſucceſſion, as well as his independent fortune, rendered him eminently qualified for that high ſtation. The chancellor, after having ſignified her majeſty's entire

[1] Life of Bolingbroke, p. 123.

[2] In ſome counties, the whig members received the thanks of their conſtituents; and, upon their being re-elected, inſtructions were given them in conformity to the whig principles. Impartial View, &c. p. 121.

[3] Tindal, vol. viii. p. 166. Cunningham, vol. ii. p. 70.

[4] The archbiſhop of Canterbury, the lord high chancellor, the lord high treaſurer, the lord ſteward of her majeſty's houſehold, and the grand maſter of the horſe, were appointed, by a commiſſion under the great ſeal, to repreſent the royal perſon.

ſatis-

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ſatisfaction with this choice, addreſſed both houſes in her name to the following purpoſe. The great ſucceſs of the laſt campaign was mentioned as tending to reduce the power of France, and to attain a durable peace. The vigorous proſecution of the war, and unanimity in all their proceedings, were recommended as the moſt effectual means for obtaining theſe deſirable ends. The extended conqueſts of the allies were urged as an argument for more liberal ſupplies, and the augmentation of the army. The proſecution of ſuch meaſures, as might ſtill farther contribute to the improvement of the union, was ſuggeſted; and particularly bringing the criminal laws of both kingdoms to a nearer agreement; and ſettling the militia on the ſame footing. Her majeſty gave them the ſtrongeſt aſſurances of her inclination to concur in every propoſal for the benefit of trade and manufactures; and expreſſed her hopes to defeat the deſigns of the pretender, and all the enemies of the union and proteſtant ſucceſſion.

Both houſes preſented addreſſes to the queen, expreſſing condolance with her domeſtic affliction, and congratulations upon the public ſucceſs.

The partiality of the Whigs, in every deciſion relative to the elections, was ſhameful beyond any former precedent[5]; and muſt have fixed an appropriate ſtain upon the character of the party, had it not afforded their opponents a pretext for retaliating, in their turn of power, now approaching with a celerity which they themſelves little expected.

In the appeals from the elections in Scotland, two caſes occurred of diſtinguiſhed importance, in the deciſion of which party matters were not ſuppoſed to have any influence. Lord Haddow and lord Johnſtone, both of them eldeſt ſons of peers, were returned as repre-

[5] Sir Simon Harcourt was diſmiſſed from his ſeat, though he had a clear majority of the votes of the electors in the burgh of Abington, upon the charge of indirect practices, of which no proof was even adduced. Cunningham, vol. ii. p. 218. Appendix to Annals of Anne, 1708, N° 21.

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sentatives from the commons; and after a full discussion of the Scottish laws, which regulated the elections previous to the union, were rejected upon the ground of incapacity [6]. The other case related to the privilege of the Scottish peers. The duke of Queensberry,

June. during the interval of parliament, had been created an English peer; and at the election of the peers in Scotland had voted both for himself, and as a proxy. Some of the disappointed candidates, who were prejudiced by his votes, objected to his right, and brought the question before the house of lords. It did not escape the English commissioners at the union, that a peculiar advantage was given to those who were peers of both kingdoms, by recognising their privilege to vote in the election for the representatives of the Scottish peerage; but this point had been yielded, because few of the nobility came under that description; and it was taken for granted that their number was incapable of any future increase. If the crown was still to retain the power of conferring the double prerogative, both of a personal and representative voice in the legislature, it would not only create a great inequality of political influence among the members of the same legislative body, but abridge the rights of the electing, and represented peers. From the force of this argument, a majority of

21st Jan. the house of lords agreed to set aside the duke of Queensberry's votes [7].

[6] The act of the Scottish parliament, for settling the election of members to the British parliament, expressly provided, that none should be capable of electing, or being elected, as commissioners of shires and burghs, excepting such as were already capable. The sons of peers were ineligible according to the usage of the Scottish parliament: had it not been for this restraint, the peers of Scotland, from the extent of their jurisdictions and superiorities, would have monopolized the political power in that kingdom.

[7] By the act concerning the election of the peers in Scotland, it was expressly provided, that such peers of Scotland, as were also peers of England, should sign their proxies or lists by the title of their peerage in Scotland; Journals Lords, 11th February 1707; by which clause, the right of voting at the election of the peers of Scotland was reserved for those who were also peers of England. Although the question was now decided against the duke of Queensberry; yet it should seem that the ground of decision had been extremely doubtful, since it has been lately revived after an interval of eighty years, and differently determined. Journals Lords, 23d May 1793. See Blackstone's Commentaries, published by Christian, vol. i. p. 97.

A bill.

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A bill was introduced in the houſe of commons, 5th February, for the naturalization of foreign proteſtants. As few queſtions are more intimately connected with the principles of morality and juriſprudence, ſo the debates upon it run out into great length; and introduced a variety of intereſting and ingenious topics.

The inſtinctive benevolence of the heart, independent of any argumentative diſcuſſion, naturally excites unfavourable ſuſpicions againſt that policy which fetters beneficence, or excludes any deſcription of men from a full participation of the advantages of the community with which they happen to be blended. The principles, the ſufferings, and the merits of foreign proteſtants, ſuggeſted the moſt powerful reaſons for recogniſing them as fellow-citizens; and for imparting to them all the benefits of the Britiſh conſtitution. They had renounced the endearments of their native land for the ſake of that religion, which was the baſis of the proſperity and glory of England; and which had been a principal object of her laws, policy, treaties, alliances, and wars, for the two preceding centuries. The protection which England had hitherto vouchſafed to foreign refugees, ſo honourable to herſelf, had been amply requited by the ſubſtantial ſervices which ſhe had received from them. By their invention and induſtry many valuable manufactures had been introduced and improved, which extended the commerce of England, and turned the balance in her favour to the prejudice of France. To their exertions the revolution ſettlement had been deeply indebted, as they were the foremoſt to ſupport the credit of the new government by depoſiting their money in the funds[8], ſo that it would be ungrateful to withhold the happy fruits of it from their friends who had lately arrived in England. That the increaſe of population conſtituted the true ſtrength and riches of a nation had been generally admitted as a ſound political maxim; and it was peculiarly fortu-

[8] The foreign proteſtants, according to a moderate computation, had a million and a half in the funds, which was then above a 20th part of the whole ſtock. Annals Anne, 1708, p. 302.

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nate for Britain, that, by the acceſſion of new inhabitants, ſhe had the opportunity of repairing the waſte occaſioned by a long and deſtructive war. The example of the Dutch [9], who beſt underſtood the intereſt of a commercial nation, and of the king of Pruſſia, a ſagacious prince, who gave every encouragement to foreigners to ſettle in their dominions, upbraided the heſitation of the Britiſh legiſlature about adopting a meaſure, recommended by the ſtrongeſt motives of generoſity and prudence.

The oppoſers of this bill contended, that the Britiſh conſtitution would be endangered by the influx of a multitude, who, from indelible prejudices, might be expected to retain a ſecret predilection for the laws and intereſts of thoſe foreign ſtates from which they came; that a ſtagnation in the ſale of manufactures, occaſioned by the war, left no proſpect of ſubſiſtence to adoptive citizens, but by encroaching upon the employments of the natives, who would thereby be conſigned to idleneſs and poverty; that a general naturalization bill would allure an hoſt of mendicant ſtrangers, who muſt ſoon become an inſupportable burden upon the pariſhes, already oppreſſed by an enormous tax for the maintenance of their own poor [10]; that the cuſtoms would ſuſtain a conſiderable diminution by the loſs of the additional duties, now exacted from alien merchants [11]; and that the national ſtock would be impaired by their transferring, to their relations abroad, the eſtates which they acquired under the boon of Britiſh freedom [12].

[9] The States of Holland, hearing of the naturalization bill in England, publiſhed a placard for the general naturalization of foreign proteſtants, declaring that none of their relations in France ſhould have any right to claim their effects after their death. Monthly Mercury, July, October, 1709.

[10] The expence of maintaining the poor in England, at the time of the union, amounted to above one million per annum. Enquiry into the Reaſonableneſs of the Union, p. 113.

[11] Certain duties for package, &c. of the goods of all merchants, who were ſtrangers, had been granted to the city of London by divers royal charters and acts of parliament; upon which account the city petitioned the commons to be heard by their council againſt the bill, which was granted; but, upon examination, the duties were found to be ſo inconſiderable, that this objection had no influence in obſtructing the bill. Journals Commons, 18th February 1709.

[12] Tindal, vol. viii. p. 168. Salmon, vol. xxvi. p. 22.

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The bill was carried by a great majority in the houſe of commons: it met with oppoſition in the houſe of lords, and a few entered their diſſent againſt it [13].

25th Feb.

An inquiry into the ſtate of the nation, as it had been ſuggeſted by the intended invaſion, ſo it was well calculated to furniſh the party in oppoſition with ſpecious grounds for arraigning the conduct of adminiſtration, and ſubverting their credit with the people. In the houſe of commons, the debates upon this ſubject were conducted with temper and moderation, and accompanied with emphatical teſtimonies of reſpect for the perſons in power. The oppoſing lords expatiated upon the danger of the nation, from the machinations of foreign enemies, and from internal treachery; and even inſinuated that ſome of the miniſters were not only culpable for their remiſſneſs, but for a clandeſtine co-operation with the principal agents in the late conſpiracy [14]. The miniſters were charged, directly and openly, with having been negligent in procuring information; dilatory in forming and executing proper meaſures of defence; and notoriouſly criminal on account of the deficiency of troops and warlike ſtores in Scotland. Theſe charges were confidently advanced, and propagated with great induſtry among the people in periodical

[13] Journals Lords, February.

[14] Lord Heverſham's Speech. It has been aſſerted by ſome late hiſtorians, that the marquis of Annandale had at this time in his poſſeſſion a letter written by lord Godolphin to the court of St. Germains; and that he was prevailed upon to deliver it to the earl of Wharton; and that both theſe noblemen turned this diſcovery to their private advantage; the former, by obtaining the miniſterial influence in ſupport of his election as one of the peers from Scotland; the latter, by obtaining the appointment to the lord-lieutenancy of Ireland. The act of grace, which took place this ſeſſion, has been repreſented to be the effect of this diſcovery, as it was the only means of ſcreening the treaſurer from the vengeance of the law. Macpherſon, vol. ii. p. 371. Hamilton's Tranſactions, p. 111.

The premiums, conferred upon theſe two noblemen, will hardly account for the ſuppreſſion of ſuch an intereſting ſecret; for, though the act of grace might ſave the treaſurer's head, his character was ſtill at the mercy of the truſtees. The bare mention of the fact, and the induſtrious propagation of it in the private circles of company, would have brought upon him ſuch a torrent of reproach, as muſt have ſwept him and all his friends from the ſeats of power. The earl of Wharton was not diſtinguiſhed for ſteadineſs of principle, delicacy of honour, or warmth of friendſhip; the only motives which can account for his profound ſilence upon this ſubject, and the queſtionable ſhape in which it has been tranſmitted to us.

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publications; but they were not ſupported with ſufficient proof, nor was the buſineſs brought to any definitive concluſion in the houſe of lords. The commons entered into reſolutions, expreſſive of their decided approbation of the meaſures and conduct of the miniſters with reſpect to the invaſion [15].

Although this inquiry was not productive of the effects intended by thoſe who moved it, yet it opened ſuch diſcoveries of the arbitrary treatment of individuals in Scotland who had fallen under ſuſpicion, as ſuggeſted alterations in the treaſon laws of that kingdom, equally neceſſary for maintaining the liberty of the ſubject, and the ſafety of the government. Upon the news of an invaſion, many perſons had been apprehended without any ſufficient preſumption of guilt having appeared againſt them, and ſome of them carried priſoners to London, which expoſed them to great expence and inconvenience [16]. Others had been brought to trial in violation of thoſe forms, which, according to the opinion of reſpectable Scottiſh lawyers, were indiſpenſable in criminal caſes. It was hence inferred, that the miniſters in Scotland had made the public apprehenſions ſubſervient to their own perſonal reſentments; and that unwarrantable ſeverities had been exerciſed againſt their political opponents and private enemies. But whatever foundation there might be for theſe aſperſions, it was evident, from a diſagreement in the opinions of thoſe who were beſt acquainted with the laws and proceedings of the judicatories in Scotland, that the former were ſo ambiguous, and the latter ſo vague and fluctuating, as eaſily to become inſtruments either of favour or oppreſſion, according to the wiſhes and intereſts of miniſters [17]. On theſe grounds a reſolution was formed in the houſe

[15] Journals Commons, 10th March.

[16] The duke of Gordon, the marquis of Huntly; the earls of Seaforth, Errol, Nithſdale, Marſhal, Murray; lords, Stormont, Kilſyth, Drummond, Nairne, Belhaven, Sinclair, beſides many gentlemen of great fortune and influence in Scotland, were brought to London as ſtate priſoners, April and June, 1708.

[17] The court of juſticiary was of opinion, that the names of the witneſſes ought to be intimated to the priſoners fifteen days before their trial; and ſir James Stewart, the lord advocate, aſſerted that this was unneceſſary: they complained of each other to

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houſe of lords for altering the treaſon laws in Scotland, and was carried into effect by the act for improving the union of the two kingdoms. The purport of it was, to abrogate the Scottiſh laws, and to introduce thoſe of England in all future trials for treaſon. This innovation was ſpeciouſly oppoſed as a violation of the union, by encroaching upon the powers of the court of juſticiary; and thus tending to excite alarm in the breaſts of the Scots, leſt the whole ſyſtem of their laws ſhould be gradually overturned, contrary to the ſtipulations of the treaty. Suppoſing that an alteration, ſo material as that now propoſed, could be effected without infraction of the moſt ſolemn engagements contracted by the Engliſh legiſlature, it was aſſerted, that the treaſon laws in Scotland were preferable, in many reſpects, to thoſe of England; and that the dignity of the former nation, and the intereſt of the two kingdoms, would be beſt conſulted by a judicious ſelection from both [18]. A few amendments upon this bill were made in the houſe of commons; which, though the ſame in ſubſtance with what had been moved and rejected by a conſiderable majority in the other houſe, were afterwards unanimouſly adopted, becauſe the bill was deemed eſſential to the ſecurity of the Hanoverian ſucceſſion [19].

In compliance with her majeſty's recommendation at the opening of this ſeſſion, a bill was again brought in and read in the houſe of commons for regulating the militia in Scotland; but, as it never went

11th and 12th March.

to the queen, and juſtified their complaints in printed memorials. Tindal, vol. viii. p. 182. Beſides this ambiguity, there were glaring deficiencies in the treaſon laws: 1ſt, No time was preſcribed for the purſuer to inſiſt upon the trial. 2d, It was competent to admit witneſſes inadmiſſible in other caſes; namely, women, *famoſi*, *impuberes* & *ſocii criminis*. Mackenzie's Criminal Law, Title vi. &c.

[18] Letter from a Scotch Gentleman in London to his Friend in Edinburgh, p. 7.

[19] Id. Journals Lords and Commons, paſſim. The principal amendments were, that no eſtate in Scotland ſhould be forfeited upon a judgment of high treaſon; but this peculiar indulgence to Scotland was not to take place till after the death of the pretender; nor, upon the ſuppoſition of that event happening during the life of the queen, till three years after the houſe of Hanover ſhould ſucceed to the crown. It was provided, that three of the juſticiary judges ſhould be named in the commiſſion of *oyer* and *terminer*. To this act, Scotland is indebted for the abolition of the torture.

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farther, we may conclude that the whig miniſters, though they ſtill flattered the hopes of the Scottiſh patriots, were ſecretly averſe to a meaſure which they conſidered to be dangerous to the proteſtant ſucceſſion [20].

The commons granted large ſupplies for carrying on the war; and voted an addition of ten thouſand men to the troops already employed in the Britiſh ſervice. That the people might be the better reconciled to the extraordinary burdens impoſed upon them, addreſſes were preſented to the queen, to lay before them the accounts of the diſburſements of the ſums formerly granted for making good her engagements to her allies, and for maintaining her forces in Spain; and requeſting her to uſe her beſt endeavours to prevail upon the ſeveral members of the confederacy to furniſh proportional additions of men for the ſervice of the campaign 1709.

26th Nov. 12th Jan.

18th Dec.

The ſupplies this ſeſſion amounted to ſeven millions. The difficulty of raiſing ſo large a ſum was removed by the bank of England having engaged to circulate two millions five hundred thouſand pounds in exchequer bills for the uſe of government, upon the conditions of their charter being prolonged for twenty-one years, and of authority being granted them to double their ſtock [21]. An act was accordingly paſſed for this purpoſe. The books were opened for taking in ſubſcriptions for the augmented fund while the act was

[20] When a bill for ſettling the militia in Scotland was afterwards brought in under the tory miniſtry, (Journals Commons, May and June 1714,) it was oppoſed by the whigs upon an avowed diſtruſt of the loyalty of the Scottiſh nation. The inſurrections which afterwards happened in favour of the pretender, 1715, 1745, confirmed theſe ſuſpicions; ſo that Scotland has been hitherto deprived of a privilege, which the moſt enlightened patriots have ever conſidered as eſſential to national freedom and independence. Of this the Scots always complained as a national grievance and affront, till, upon paſſing the late act for raiſing the militia in Scotland, the perſevering efforts of thoſe perſons, who have been labouring to ſubvert the foundations of all order and government, fatally prevailed, in producing an entire inverſion of the ſentiments and prejudices of the lower ranks, and rendered them averſe to a meaſure, the delay of which their patriotic anceſtors complained of as a ſtain upon their honour, and an obſtruction to that equal participation of privileges which was expected from the union.

[21] Journals Commons, 18th February, 4th, 5th March, 21ſt April. The ſtock of the bank, before this augmentation, amounted to two millions, two hundred and one thouſand, one hundred and ſeventy-one pounds. Tindal, vol. viii. p. 160.

yet

yet depending, and the whole was filled up within the ſpace of four hours; an inconteſtible proof of the increaſe of national wealth, and of the vigour of public credit [22].

Both houſes, in the courſe of this ſeſſion, renewed their teſtimonies of applauſe to the duke of Marlborough, by thanking him for his illuſtrious ſervices during the laſt campaign. A vote, which paſſed in the houſe of commons for thanking major-general Webb, was juſtly conſidered as an oblique cenſure upon the partiality of the duke, who, in the account he tranſmitted to the miniſtry concerning the battle of Wynendale, had omitted the name of that general, though the ſucceſs of the allies there was principally owing to his brave and ſkilful exertions. The rumour of an approaching peace ſtrongly prevailing at this time, the lords and commons concurred in addreſſing her majeſty to take care that the French king ſhould be obliged to acknowledge her title, and the proteſtant ſucceſſion; that the pretender ſhould be removed from the French dominions; and that the harbour of Dunkirk ſhould be deſtroyed.

22d Jan. 2d March. 13th Dec. 3d March.

An order, given by the privy council, for diſcontinuing the uſe of that form in the common-prayer book, which referred to her majeſty's conjugal ſtate [23], gave occaſion to an addreſs from both houſes, which, perhaps inadvertently, deviated from the delicacy and tenderneſs due to her preſent ſituation; and was therefore noticed by her in terms of reproof rather than of approbation. They entreated her not to indulge her grief ſo far as to lay aſide thoughts of a ſecond marriage; to which ſhe replied, that, from the nature of the ſubject, ſhe was perſuaded they did not expect a particular anſwer.

13th Jan. 27th.

A complaint being entered in the houſe of commons againſt a pamphlet, which repreſented the teſt act as a profanation of the divine inſtitution of the Lord's Supper, it was reſolved that the ſaid pamphlet was a ſcandalous and ſeditious libel; and that it ſhould be burnt by the hands of the common hangman. The preſent mi-

10th.

[22] Tindal, vol. viii. p. 160.

[23] "Make the queen, we pray thee, an happy mother of children."

niſters

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niſters more readily concurred in this cenſure, to check thoſe ſuſpicions which their opponents now induſtriouſly diſſeminated of their being enemies to the eccleſiaſtical eſtabliſhment [24].

An act was paſſed on the 13th February for preſerving the privileges of ambaſſadors and the miniſters of foreign princes. This act aroſe from an indignity offered to the Ruſſian ambaſſador, which occaſioned no ſmall trouble and vexation to the court of London; and became intereſting to all the ſtates of Europe, as it was the means of diſcovering the headſtrong humour, the proud ſpirit, and the expanding ambition of a young prince, who now began to emerge from the obſcurity and barbariſm of his anceſtors. The count de Mattneof, the Ruſſian ambaſſador, had been arreſted in the ſtreets of London, on the 21ſt June 1708, at the inſtance of ſome tradeſmen, to whom he owed ſmall accounts [25], and having ſtruggled in his own defence, was dragged to a ſpunging houſe, where he remained for ſeveral hours, till he was releaſed upon bail. He immediately wrote a letter to the ſecretary of ſtate, complaining of the groſs inſult which he had endured; and demanding ſatisfaction by puniſhing the aggreſſors with the utmoſt ſeverity. Great addreſs was employed by the court to appeaſe him, and every regular ſtep taken to proſecute the offenders; but the ambaſſador, implacable and ferocious, and inſtigated by the reſt of the foreign miniſters at London, would hear of no propoſal of delay or compromiſe. He left the kingdom with diſguſt and menaces, and quickly infuſed the indignation which he felt into the breaſt of his ſovereign, who was the more jealous of his princely dignity from the novelty of his pretenſions to it; while he anticipated that ſuperiority to which he was ſoon to aſcend in the ſcale of potentates, from the vaſt extent of his dominions, and the ſucceſs of thoſe lofty projects which inceſſantly occupied his ardent and buſy mind. His diſpleaſure was notified in

17th Dec. 1708.

[24] Salmon, vol. xxvi. p. 18.

[25] The ſum for which the ambaſſador was arreſted was below a hundred pounds: he uſed to be punctual in his payments, and had given orders that this ſum ſhould be diſcharged the next day. Addiſon's Letter to the Earl of Mancheſter, July 23d, 1708.

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an angry letter to the queen, magnifying the outrage which he had ſuſtained in the perſon of his ambaſſador; inſiſting that a capital puniſhment ſhould be inflicted upon all the perſons concerned in it; and threatening repriſals if his demands were not complied with. It being found impoſſible to gratify the czar in conformity to the exiſting law of England, he was at length prevailed upon, by the moſt flattering importunity, and the uncommon civilities of the Britiſh court to two young princes who were his relations [26], to accept of her majeſty's expreſſions of deep concern for what had happened, and her promiſes ſpeedily to purſue the moſt effectual meaſures for ſupplying the deficiency of the Engliſh laws, as the terms of his maintaining, in future, an amicable correſpondence with the Engliſh nation. To teſtify her ſincerity, the act now mentioned was framed, and intimation of it made to the Ruſſian court by the Engliſh ambaſſador, with a formality and pomp highly grateful to the haughty diſpoſition and aſpiring views of his czariſh majeſty [27].

The fondneſs of the Engliſh nation for gambling diſcovered itſelf at this time by ſuch practices, as were not only ruinous to the fortunes of individuals, but pernicious to the community. Wagers were often laid upon the events of the war, and as this had an obvious tendency to induce individuals to form attachments, and to purſue ſchemes repugnant to the welfare of the country, and even to tempt profligate men to carry on a correſpondence with the enemy, juſt grounds were thereby afforded for removing the temptation, by paſſing an act to prohibit, under the ſevereſt penalties, wagers from being laid relative to public affairs. 21ſt April.

[26] Upon the arrival of the Muſcovite lords in London, the queen gave orders that they ſhould be entertained at her charge, and attended by her officers. Monthly Mercury, Jan. 1709.

[27] Tindal, vol. viii. p. 196. 202. The perſons concerned in the arreſt of the Ruſſian ambaſſador were proſecuted in the court of queen's bench by the attorney-general; and, after trial, convicted of the facts by the jury; but they were not brought up to receive judgment; becauſe no puniſhment, that could have been inflicted by the law of England, would have been thought an adequate reparation by the czar. Blackſtone's Commentary by Chriſtian, vol. i. p. 255.

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The liberality of the Engliſh miniſters to Scotland was again manifeſted by paſſing an act for allowing the drawback upon the exportation of beef, fiſh, and pork, which had been cured with foreign ſalt, imported there before the 1ſt of May 1707[28].

The inveſtigation of conſpiracies, ſuggeſted by the late attempt of the pretender, led to diſcoveries which might have warranted proſecutions, deeply affecting the fortunes and honour of ſome individuals connected with every party. The impending danger of ſuch proſecutions impoſed ſtrong temptations upon thoſe who were conſcious of guilt, to continue their endeavours for promoting that event which alone could enſure their perſonal ſafety. Hence it was repreſented to her majeſty by her miniſters, that a remiſſion of paſt crimes was the moſt generous and the wiſeſt meaſure ſhe could purſue both for the public peace and the ſecurity of her own perſon and government. An act of grace was therefore ſent to the houſe of lords on the 20th of April, and was confirmed with the utmoſt diſpatch by both houſes; which cloſed the buſineſs of this ſeſſion.

21ſt April. After a ſpeech from the lords commiſſioners, in her majeſty's name, expreſſing her full approbation of their proceedings, the chancellor prorogued the parliament to 19th May 1709.

The convocation had been ſummoned to meet with the new parliament, but by ſucceſſive prorogations was prevented from entering upon buſineſs. Some violent publications, in exculpation of thoſe meaſures of the laſt convocation which were moſt offenſive to her majeſty, had gained many proſelytes among the laity, as well as the clergy. The majority of the members returned to the preſent convocation were known to be of the ſame principles with their predeceſſors, and would probably have diſplayed, if an opportunity had been afforded them, the ſame captious temper, and the ſame contempt of their ſuperiors; nor in ſuch circumſtances durſt the mini-

[28] Journals Commons, 21ſt February.

ſters

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sters have hazarded an appeal to the people, who were now enflamed by the base artifices, and restless activity of the high church zealots [29].

Campaign 1709.

The situation of France, after the conclusion of the campaign 1708, exhibited a complete picture of wretchedness and despondency. The allies had become masters of most of the strong towns on her frontiers; and threatened to penetrate into the interior provinces, depopulated and incapable of defence [30]. A complication of domestic calamities co-operated with the ill success of their arms, and portended the near approach of others still more dreadful. The sudden vicissitudes of frost and thaw destroyed the springing corn and vines, while, from the scantiness of the preceding crop, every city and province was threatened with impending famine [31]. Tumults and insurrections broke out in the principal towns: the highways were infested with robbers, and the universal subversion of order was only restrained by the presence of that military force, which was destined for the prosecution of the war [32].

The French ministers had already exhausted every invention for raising new taxes and encreasing their produce; and by forcing the circulation of fictitious money, had still, in some degree, maintained their internal commerce. But now, when scarcity at home obliged them to resort to foreign markets, the people felt the extremity of distress. The public bankruptcy was evident to surrounding nations, and, more than the most splendid victories, encouraged the hopes of their enemies.

[29] Annals Anne, p. 257.

[30] Torcy, vol. i. p. 213. Lond. 1757.

[31] Quincy, tom. vi. p. 132. The effects of famine, with respect to depopulation, are strongly illustrated by the following facts. The births in Paris, which had amounted to sixteen thousand, nine hundred and ten, in the year 1709, in the year 1710, did not exceed thirteen thousand, six hundred and thirty-four; and in 1711, they rose to sixteen thousand, five hundred and ninety-three. The number of deaths in Paris, in 1709, was twenty-nine thousand, two hundred and eighty-eight; in 1710, twenty-three thousand, three hundred and eighty-nine; in 1711, and several succeeding years, it did not exceed sixteen thousand. In the year 1709, the number of marriages decreased in the proportion of one-fourth, compared with ordinary years. Buffon's Supplement, tom. iv. p. 278.

[32] Histoire de Louis, tom. vi. p. 303.

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In theſe deplorable circumſtances the court and the people coaleſced in the ſame wiſhes and views. Peace, upon any terms, was the only expedient for reſcuing a periſhing multitude, and eſtabliſhing a tottering throne. The intoxicating chimera of univerſal empire vaniſhed: the queſtion was not now, whether France ſhould be victorious, or how far ſhe ſhould extend her dominion, but whether ſhe ſhould exiſt as an independent kingdom, and bear a name among the nations [33].

The French king availed himſelf of the proferred interpoſition of monſieur Pettekum, reſident of the duke of Holſtein Gottorp at the Hague, to communicate to Heinſius, the grand penſionary, and Vander Duſſen, the penſionary of Gouda, his earneſt deſire of renewing negotiations for peace. Intimation was at the ſame time made to them by monſieur Bergheick, the Spaniſh miniſter at Paris, that he had received inſtructions from his maſter, to offer the States whatever conditions they ſhould demand for the ſecurity of their trade, expecting by this enticement to obtain their conſent to king Philip's remaining in the poſſeſſion of the throne of Spain. The anſwer returned by the penſionaries to this intimation was peremptory and explicit: and as Pettekum had already informed the French king, that no propoſitions for peace would be accepted by the confederates, without the entire ſurrender of the Spaniſh monarchy, ſo a ſhort memorial to the ſame effect was now ſigned by Vander Duſſen, and tranſmitted to Bergheick [34]. The French king at length conſented to enter into a treaty upon this baſis, without the acceſſion of his grandſon. Rouillé, preſident of the great council, was appointed his plenipotentiary, and, having been furniſhed with a paſſport from the States, purſued his journey with great ſecrecy, and

[33] Duclos, tom. i. p. 13.

[34] As this memorial was often referred to in the negotiations, it is neceſſary that the reader ſhould attend to it: "The count of Bergheick muſt know, that unleſs he makes the "ſame offers, as thoſe heretofore made, of "Spain and the Indies, of the Milaneſe and "the Netherlands, together with what has "been added, as alſo a favourable treaty of "commerce, there can be no talking to him "with any confidence upon the other preliminary articles." Torcy, vol. i. p. 121.

arrived

arrived at Stryenſe Sas, oppoſite to Moerdike, on the 17th March 1709, where he was received by Vander Duſſen, and de Buys the penſionary of Amſterdam [35].

At the opening of the conferences, the Dutch deputies examined Rouillé's commiſſion, with which they were perfectly ſatisfied, but at the ſame time acknowledged, that they had not themſelves received any correſponding powers from the States, as the neceſſary delay and formalities in obtaining them would have made the buſineſs too public, and perhaps thwarted its ſucceſs [36]. They profeſſed, in name of their conſtituents, an earneſt deſire for peace; but inſinuated that the inclinations of the reſt of the allies were more doubtful, and that a generous attention to their intereſts would be neceſſary to bring the buſineſs to a ſpeedy and fortunate concluſion. Agreeably to theſe hints, demands were brought forward, during ſucceſſive conferences, in behalf of the emperor, the queen of England, the king of Pruſſia, and the duke of Savoy, which were not comprehended in the inſtructions of the French plenipotentiary [37]. Under the ſame pretext of being reſtrained by a reſpect for their allies, the deputies excluded thoſe conceſſions in favour of king Philip, which Lewis had underſtood to be tacitly implied in Vander Duſſen's memorial [38]. For they plainly told him, that they would not be ſatisfied with the renunciation of Spain, the Indies, the Milaneſe, and the Netherlands, unleſs the port towns on the coaſt of Tuſcany were added, which, together with Naples and Sicily, Lewis expected to reſerve as a ſcanty compenſation to his grandſon for the ſacrifices he was to

[35] Torcy, vol. i. p. 148.

[36] Idem. p. 126. 149.

[37] Letter from Mr. Boyle to the Duke of Marlborough, 18th, 24th May. MSS. Mr. Boyle, in a letter to the duke of Marlborough and lord Townſhend, 18th May 1709, mentions her majeſty's great ſatisfaction at the concurrence of the miniſters of the States, in making ſuch demands on the part of Great Britain, as her majeſty thought neceſſary for the advantage of herſelf and her people; and particularly for having inſiſted upon Newfoundland and Hudſon's Bay being made an article in the preliminaries, &c. In another letter from Mr. Boyle to the duke of Manchester and lord Townſhend, of the 24th May, her majeſty expreſſes an equal concern for gratifying the deſires of the duke of Savoy.

[38] They were not mentioned in the memorial, and therefore ſuppoſed not to be excluded.

make.

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make. The deputies ſeemed willing, ſo far as depended upon the States, to conſign Naples and Sicily to the duke of Anjou, but declined treating definitively upon that point, leſt ſome of the allies ſhould object to it; they promiſed, however, that if theſe important conditions were accepted by the French king, they would uſe their utmoſt endeavours to procure an eſtabliſhment for the depoſed monarch [39].

An account of theſe conferences, after they had been continued for ſeveral days, was tranſmitted by Rouillé to the court of France [40]. He now received inſtructions to conſent to ſeveral of the propoſitions which had been unexpectedly brought forward by the deputies: he was authorized to deſiſt from his firſt requiſition of annexing Sardinia and the ports on the Tuſcan coaſt to the two kingdoms of Naples and Sicily; to give entire ſatisfaction to the Engliſh with reſpect to the proteſtant ſucceſſion; to make additions to a barrier for the States, upon the condition of an equivalent for ſome of the towns to be ſurrendered for that purpoſe; and to reſerve other diſputed articles to be adjuſted at a general treaty [41].

Although theſe conceſſions ſeemed to be favourably entertained, other circumſtances now occurred, which threatened to perplex the negotiation, and to remove the iſſue of it to a great diſtance. The deputies themſelves were not ſcrupulous about obſerving that ſecrecy which they had recommended to Rouillé, as eſſential to the accompliſhment of the treaty, and the diſcloſure of what had paſſed in the conferences excited the jealouſy of the leading men in the other provinces, as if de Buys and Vander Duſſen had preſumed too far by entering into buſineſs of ſuch general concern, without their previous knowledge and conſent. The miniſters of the allied powers

[39] Torcy, vol. i. paſſim. The Dutch deputies, at the outſet of the conferences, had they been left to themſelves, would probably have been well pleaſed to procure a peace upon the condition of diſmembering the Spaniſh monarchy, and giving a part of it to king Philip: but the court of England was not only diſpleaſed with this conceſſion, but angry at the deputies for having thought of it. *Appendix*, N° XXV.

[40] Torcy, p. 158.

[41] Id.

ſoon caught the ſame ſpirit, and openly threatened to diſavow any meaſures, concerted between the French court and ſuch a partial repreſentation of the confederate body[42]. The impreſſion of theſe threats upon the negotiating deputies was obvious in every ſubſequent conference: they became more guarded and untractable; and even drew back from certain points which had been nearly brought to a concluſion[43].

In the meanwhile, the French king did not eſcape the ſuſpicion of being ſecretly pleaſed with thoſe obſtacles which were likely to thwart negotiations into which, it was ſuppoſed that he had entered with reluctance. By the miniſters in England, his offers were repreſented as an inſidious attempt to divide the confederates, or to lull them into ſecurity, while he was exerting the utmoſt force of prerogative to recruit his ſhattered armies; and even concerting meaſures to prevent the abdication of his grandſon, which was the preliminary condition of the treaty[44]. Conſtrained by the ruined condition of the country to wiſh for peace upon any terms, ſeveral perſons of the firſt diſtinction in France were ſecretly jealous of the invincible ambition of their ſovereign, and of his ſincerity in going as far as he ought, to reſtore tranquillity to his exhauſted ſubjects[45]. To remove theſe objections, and to transfer the odium of prolonging the war to his enemies, the French king adopted the reſolution of ſending the marquis de Torcy, his miniſter for foreign affairs, into Holland, with authority to make a direct application to Heinſius, and to bring under the public view the important buſineſs, which had hitherto been tranſacted in ſuch a clandeſtine manner as to give too much ground for ſuſpicions, and to render it impoſſible to judge of the intentions and conduct of the parties concerned[46]. The marquis, upon his arrival at the Hague, was privately introduced to Heinſius, who entered confidentially into converſation with him upon the prin-

29th April.

6th May.

[42] Torcy, vol. i. p. 172.
[43] Id. paſſim.
[44] Dr. Hare's Third Letter to a Tory Member.
[45] Torcy, vol. i. p. 217.
[46] Id. p. 225.

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cipal topics of the negotiation, but ſtill referred him to Vander Duſſen and de Buys, who had acquired a reſponſibility by the ſteps which they had already taken in this buſineſs[47]. To them de Torcy was next introduced, and permitted to ſend for Rouillé, whoſe commiſſion was not ſuperſeded by his own; after which the various ſubjects, already treated of, were reſumed, Heinſius and de Torcy now taking a principal ſhare in every conference. Aware of the aſcendancy which the duke of Marlborough had acquired in the councils of the States, the French plenipotentiaries were anxious to have ſome points ſettled before his return to the continent, and threw out advantageous offers with reſpect to the barrier and commerce of Holland, which they imagined it would be difficult for the deputies to reject without incurring the reſentment of their conſtituents[48]. The deputies were prepared for this ſnare; and, as often as the plenipotentiaries ſuggeſted ſuch ſtipulations as regarded the peculiar intereſts of the States, they always obtruded the demands of their allies, enlarged ſo far beyond the foreſight of the French cabinet, that they exceeded the utmoſt conceſſions which her miniſters were empowered to offer[49]. The French plenipotentiaries, now convinced that it was not in the power of the preſent treaters to bring any matter whatever to a final concluſion, became no leſs impatient than the deputies for the arrival of the duke of Marlborough; and, as they were inſtructed to offer him a liberal preſent in name of their maſter, did not deſpair of rendering him the inſtrument of that pacification, which, they believed, he had hitherto obſtructed[50].

[47] Torcy, vol. i. p. 243.

[48] The duke of Marlborough was at the Hague at the beginning of the conferences between Rouillé, Vander Duſſen, and de Buys; and though he did not take any part in them, yet, as it afterwards appeared, he was well acquainted with all that paſſed.

[49] Torcy, vol. i. p. 259. 268. 273.

[50] After the arrival of de Torcy, the conferences were carried on at the Hague. The French king authorized Torcy to offer the duke of Marlborough two millions of livres (£. 83,333 : 6 : 8) on the condition of his ſecuring the kingdoms of Naples and Sicily for his grandſon; and the premium was to increaſe, in proportion as more was obtained, to the ſum of four millions of livres. Torcy, vol. i. p. 299, 300. Although Torcy repreſents the reception which he met with from the duke as polite and even flattering, he did not find him diſpoſed to accept of his offers. Torcy, vol. i. p. 316.

After

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After many weeks ſpent in fruitleſs conferences, the duke came to the Hague, accompanied by lord viſcount Townſhend, who was conjoined with him in a commiſſion to act as plenipotentiaries for the queen of England, in tranſacting the buſineſs of a general treaty for peace.

De Torcy loſt no time in paying his compliments to the duke, nor was he long left in ſuſpence with reſpect to the part which that nobleman was likely to take, in a buſineſs depending ſo much upon his arbitration. If his external demeanour, and flattering addreſs, excited ſome faint hopes of his being favorable to the views of France [51], theſe were ſoon overturned, when he entered upon the ſerious diſcuſſion of buſineſs. From his converſation it was eaſy to diſcover that the Engliſh plenipotentiaries were no ſtrangers to the conferences which had already paſſed; that they were determined to ſupport the propoſitions ſtated in behalf of the allies, while the extenſive demands upon the part of the queen of England, which hitherto had been obſcurely hinted, were now defined and urged as the indiſpenſable conditions of her permitting her miniſters to continue the negotiations. The ſubjects of the enſuing conferences, carried on by the French, Dutch, Engliſh, and Imperial miniſters, after many tedious and warm debates, were at length compriſed in forty preliminary articles, drawn up by the penſionary, with the approbation of his colleagues. The French plenipotentiaries declined ſigning them till they obtained the approbation of their maſter; de

[51] The duke of Marlborough, according to Torcy's accounts, diſcovered exceſs of complaiſance in his private interviews with him: he profeſſed the moſt profound reſpect for the French monarch; and ſeemed to agree with his plenipotentiary, in thinking that the demands of the deputies, with reſpect to Spain, were harſh and extravagant: he declared his earneſt wiſh for an opportunity of ſerving the prince of Wales, for whoſe father he would have ſacrificed the laſt drop of his blood. Torcy, vol. i. p. 305, 6. 9. 16. 25. At the ſame time, as if it had been with the purpoſe of reſerving to himſelf the privilege of contradicting theſe ſentiments, ſo propitious to the hopes of France, he inſinuated that lord Townſhend was placed as a ſpy upon his conduct; and that the preſence of that nobleman reſtrained him from giving vent to the genuine effuſions of his heart. Id. p. 303. 5. 26, 27.

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Torcy ſet out for Paris, and engaged to convey his maſter's final anſwer to the deputies before the 1ſt of June[52].

The principal preliminaries were, that the French king ſhould acknowledge Charles king of Spain; that if the duke of Anjou refuſed to conſent to this, the French king and the allies ſhould enter into meaſures for carrying it into effect; that the French king ſhould withdraw all aſſiſtance from his grandſon; that the Spaniſh monarchy ſhould remain entire in the houſe of Auſtria, and no prince of France ever poſſeſs any part of it; that the French king ſhould acknowledge the proteſtant ſucceſſion. By the 10th article, the French king was required to ſurrender Landau to the emperor; by the 11th, to demoliſh New Briſach, Fort Louis, and Huningen; by the 28th, to make over to the duke of Savoy Exilles, Feneſtrilles, and Chaumont, with the valley of Pragelas, &c. for a barrier; by the 29th, the pretenſions of the elector of Bavaria in Cologne were to be referred to a general negotiation; by the 37th, the ceſſation of arms was ſuſpended upon the fulfilment of all the other articles, and particularly the 4th, namely, that the duke of Anjou ſhould evacuate Spain within the ſpace of two months, and that if he refuſed to do this, the French king and the allies ſhould enter into proper meaſures for carrying it into effect.

The French king objected to five of the articles, namely, the 10th, 11th, 28th, 29th, and 37th; but at the ſame time inſtructed Rouillé, who ſtill remained at the Hague, to expreſs his earneſt deſire of coming to an accommodation with the allies, and even to ſuggeſt the probability of his departing from every other objection, excepting that which demanded ſuch hard ſecurities for his grandſon's renouncing the Spaniſh monarchy. The plenipotentiaries of the allied powers remained inflexible. They would not even conſent to the continuation of the conferences, nor abate the rigour of any of the articles propoſed.

[52] Torcy, vol. i. p. 302. 352. Letters Townſhend to Mr. Secretary Boyle, paſſim. from the Duke of Marlborough and Lord MSS.

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The preliminaries, as they ſtood, were ratified by the queen of England and the States; and to give new vigour to the grand alliance, the terms of it were ſolemnly recogniſed, and renewed by its reſpective members [53].

The negotiations for peace being at an end, the French king had recourſe to every expedient for ſoothing the diſappointment, and cheriſhing the loyalty of his people. He addreſſed circular letters to all the provincial governors in France, complaining of the exorbitant demands of the allies, as utterly ſubverſive of his own honour and the independence of his people; and profeſſing to commit himſelf and his cauſe to their affections, and the protection of a righteous Providence. The king of Spain publiſhed a manifeſto to the ſame purpoſe, and engaging to ſpend the laſt drop of his blood in defence of his right [54].

In ſeaſons of public emergency, the change of miniſters has often proved a ſucceſsful expedient for compoſing the tumults, and reviving the hopes of a diſtracted and deſponding people; and of reconciling them to hardſhips, which they would no longer have endured under rulers, who by ill conduct or misfortunes have loſt the public confidence. The French king diſmiſſed the director general of the finances, and the ſecretary for the war, and appointed ſucceſſors to them, whoſe genius and popularity were well adapted to the extraordinary exertions, required in their reſpective departments at this alarming criſis [55].

[53] Her majeſty wrote a letter to the States, expreſſing her approbation of their firmneſs, and the juſt reſentment which they had diſcovered on account of the inſincerity of the French king; and ſhe intreated them to concur with her in the moſt vigorous efforts for reducing the power of France. Letter to the States General, 23d December 1709. MS.

[54] Quincy, tom. vi. p. 143. Monthly Mercury, Auguſt 1709. From an intercepted letter of Chamillard to the duke of Berwick, it appears, that the French king had laid his account with ſubmitting to the moſt mortifying conditions, and even abandoning the king of Spain; and, from another letter of the French king to the Pope, it alſo appears, that the king of Spain was willing to give up the Milaneſe, Naples, and Sicily, with the reſt of the Mediterranean iſlands, to the archduke. Prior's Hiſtory, p. 261.

[55] Quincy, tom. vi. p. 143.

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The indignation, excited againſt the allies on account of the inſolence of their demands, was productive of uncommon efforts for relieving the pecuniary diſtreſſes of the crown. The preſidents and counſellors of the parliament of Paris offered voluntary contributions; and their example was followed by all the provincial parliaments. Many of the nobility, and of the rich merchants and burgeſſes, ſent their ſilver plate to the mint; and as the king devoted his to the ſame purpoſe, the quantity of ſpecie was ſuddenly increaſed, while the general ſcarcity and dearneſs of proviſions filled the army with recruits, who could not otherwiſe obtain the means of ſubſiſtence[56].

On the 21ſt June, the confederate armies, under the duke of Marlborough and prince Eugene, conſiſting of above a hundred thouſand men, drew up on the plain before Liſle. If theſe commanders had formed any deſign of penetrating into France, which was apprehended from the menaces thrown out by the deputies during the conferences at the Hague, the accounts which they received of the ſtrong and extenſive entrenchments of the army under the marſhal Villars, between Quincey and Douay, probably determined them to ſuſpend its execution; and to begin their military operations with the ſiege of Tournay[57]. Although it was the ſtrongeſt town in Flanders, the weak ſtate of the garriſon, in conſequence of the detachments which had been drawn from it for the grand army, encouraged them to hope that this ſiege would not long interrupt the original plan of the campaign. The city ſurrendered three weeks after the opening of the trenches.

28th July.

The attack of the citadel, which was ſurrounded with mines, produced ſome of the moſt tremendous incidents that occur in the annals of war. Parties of the beſiegers were often ſuddenly blown up by the ſpringing of the mines; ſometimes they periſhed by the more protracted agony of ſuffocation; and ſometimes the ſoldiers, from

[56] Hiſtoire de Louis, tom. vi. p. 303. St. Simon, tom. vii. p. 109.

[57] Quincy, tom. vi. p. 154. Lediard, vol. ii. p. 144.

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the garriſon and the camp, met under ground, while exploring theſe ſubterraneous paſſages, and attacked each other with the blunt inſtruments of ſpades and pick axes. No wonder that the brave veterans, who had often, without diſmay, confronted the manifeſt terrors of open battle, ſhrunk from a ſervice ſo awful from the ſtrange and occult dangers to which it expoſed them [58]. The citadel of Tournay did not ſurrender until the 3d September.

The marſhal Villars, having received conſiderable reinforcements from the army on the Rhine, during the above ſiege, ſent a detachment of eight thouſand men to paſs the Dyle, and attack Warneton, which ſurrendered without reſiſtance; and the garriſon, conſiſting of ſeven hundred men, were made priſoners of war. This poſt however was ſoon after abandoned upon the approach of the allied army [59].

After the ſurrender of Tournay, the duke of Marlborough diſpatched the prince of Heſſe to ſecure the paſſage of the Haine, and to attempt to get poſſeſſion of the enemy's lines, between that river and the Sambre. Theſe objects the prince effected without bloodſhed, the French having abandoned their lines as ſoon as they heard of his intention [60]. The marſhal Villars, ſuſpecting the duke of Marlborough's deſign of ſitting down before Mons, moved with the whole of his army towards that city; but the confederates, having quickly followed the prince of Heſſe, arrived before him. Villars had, however, advanced as far as Malplaquet, and made choice of a ſituation for his camp, which, from its natural ſtrength, ſeemed to ſecure him againſt any ſudden attack, while its proximity to Mons might afford him an opportunity of annoying the beſieging army, and preventing its ſucceſs. Attending to the poſture of the French camp, in which their army was prepared for action without any

[58] Quincy, tom. vi. p. 181. Salmo vol. xxvi. p. 56, 7. The allies had above four thouſand men killed and wounded during the ſiege of the town and citadel of Tournay.

[59] Quincy, tom. vi. p. 159. Hiſtoire de Louis, tom. vi. p. 354.

[60] Lediard, vol. ii. p. 163.

change

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change of its diſpoſition, we rather wonder at the temerity of the allies attempting to engage it, than at the immenſe loſs of men by which they purchaſed the name of victory at Malplaquet. Their wings were placed behind two thick and deep woods; the right behind Lagniere, which had a moraſs in its front, and the left behind Sart. The centre was poſted on riſing ground in the opening between the back of the woods, with the cavalry behind it[61]. To render their ſituation more ſecure, ſeveral lines of trenches were thrown up, and covered with trees; and ſome pieces of cannon placed in the front of the camp. Some of the infantry were alſo ſtationed in the woods, in front of the wings, and ſome in their ſkirts upon the ſides of the opening or plain. The confederate army had encamped in the plain, adjoining to the bottom of the opening between the woods. The armies were ſo near, that a cannonading and ſkir-

10th July miſhes between them immediately took place; and it was determined by the principal commanders of the allies, to make an attack upon the French lines without delay. The hazard appeared ſo great, that the Dutch deputies, with their wonted caution, remonſtrated againſt the attempt; but there was no choice, except compliance, or raiſing the ſiege of Mons, which would have been rendered impracticable, had the enemy been permitted to remain in a poſt ſo convenient for intercepting proviſions, and making advantageous attacks upon the beſiegers.

11th Sept. The deſcription of an engagement, which laſted above five hours with various turns of ſucceſs, would lead me into prolixity, unpleaſant to readers who are not critically ſtudious of military operations. Let it ſuffice to obſerve, that the ſucceſs of the allies in diſlodging the French, for conſidering the orderly retreat of the latter and their

[61] Quincy, tom. vi. p. 188. St. Simon, tom. v. p. 555. Lediard, vol. ii. p. 165. Quincy, tom. vi. p. 190. From the plans of the ground on which the battle was fought, drawn by different hands, it appears, that theſe woods had various names; that upon the right being alſo called *Merte* wood; that on the left *Teſnieres*, &c. Compare Hiſtory of Europe, Lediard, Quincy, &c. This battle is ſometimes called the battle of Malplaquet, and ſometimes Blaregnies; both theſe places being near the ſpot where it was fought.

own

own immenſe loſs it hardly deſerves the name of a victory, ſeems to have been principally owing to the following cauſes: The left wing of the allies paſſed the moraſs, which covered the right of the French, with eaſe and expedition ſurpriſing to both armies, and conſtrained the latter to fall back upon their entrenchments and centre, which occaſioned derangement and conſternation among the enemy at the commencement of the action. The allies, who were ſuperior in number [62], brought up freſh troops upon the centre of the the enemy, weakened by the detachments which were ſent to ſuſtain the right wing, hard preſſed by the confederate troops which had thus ſuddenly paſſed the moraſs [63]. The left wing of the French fought with great intrepidity under the marſhal Villars, and was likely to prevail againſt the confederates, who were falling in great numbers, when the news of the general's being dangerouſly wounded ſpread a ſudden depreſſion among them, arreſted their progreſs, and finally decided the fortune of the day [64].

This was the moſt obſtinate and bloody battle that occurred in the whole courſe of the war; and, if the greater loſs of men may be reckoned among the proofs of a defeat, the pretenſions of the confederates to victory appear extremely dubious. Almoſt the whole of the Dutch infantry were cut off in the field; and the joint loſs of the allies, including killed and wounded, amounted, at the loweſt computation, to eighteen, while the loſs of the French probably did not exceed fifteen thouſand men [65].

[62] The allies had an army of eighty thouſand; the French were between ſixty and ſeventy thouſand.

[63] The merit of paſſing the moraſs was aſcribed to the intrepidity of the duke of Argyle, who led on the Britiſh troops in the right wing; (Life of Argyle, p. 59.) and the breaking the centre of the enemy to the good conduct of major-general Cadogan.

[64] Villars, tom. iii. p. 146. Feuquieres, vol. ii. p. 178. Barré, tom 10. p. 557. St. Simon, vol. v. p. 311. 454.

[65] Lediard, vol. ii. p. 171. Military Hiſtory of Eugene, p. 147. Quincy, tom. vi. p. 201. The victory of Malplaquet is an inſtance of the ſingular good fortune of the duke of Marlborough. It is admitted by his friends, that his engaging the enemy there, was one of the raſheſt enterprizes of his life; and that the ſucceſs, if ſuch it might be called, was, in a great meaſure, owing to the accident of Villars being wounded. The chevalier de St. George exerted himſelf with great bravery in the left wing, endeavouring to make it maintain its ground. St. Simon, tom. v. p. 465.

After

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After this engagement, the French army retreated to Valenciennes; and the allies met with no obſtruction in carrying on the ſiege of Mons, which ſurrendered on the 21ſt October [66].

The campaign on the Upper Rhine afforded the allies no occaſion of triumph. The French kept within their lines, which the weak condition of the army under the duke of Hanover rendered him unable to attack. The only enterpriſe of active hoſtility, adviſed by him, terminated fatally for the Germans. The count de Merci was diſpatched with a conſiderable detachment from the duke's camp acroſs the Rhine, to penetrate into Franche Comte; but having loſt
26th Aug. two thouſand men in a ſharp engagement with the count de Borgh, he was forced to retreat and repaſs the river [67].

The reluctance with which the emperor granted the inveſtiture of the Milaneſe to the duke of Savoy, and the reſtrictions annexed to it, ſo much exaſperated that prince, that he declined taking the field in perſon; which broke the ſpirit of his native troops, and retarded the progreſs of the campaign in Piedmont [68]. Count Thaun, who ſucceeded to the command of the Italian army, obtained a few ſlight advantages by marching into Savoy; defeating a body of the enemy at Conflans; forcing them to evacuate ſeveral of their ſtrong poſts; and making himſelf maſter of the village and caſtle of Annecy, which he ſoon abandoned for want of proviſions [69]. This tranſitory ſucceſs of the count was counterbalanced by a victory of the French over general Rebender, who, at the head of another detachment of the Italian army, had advanced as far as Mount Genevre, with a deſign of laying Val de Praz under contributions. He loſt above ſeven hundred men on the ſpot, and four hundred were made priſoners [70].

In Spain and Portugal, the arms of the united ſovereigns rather gained ground upon thoſe of the allies. The caſtle of Alicant, after

[66] Tindal, vol. viii. p. 276. By getting poſſeſſion of Mons, the allies were enabled to cover Brabant, which before was expoſed to the incurſions of the French.

[67] Quincy, tom. vi. p. 230.

[68] Tindal, vol. viii. p. 284.

[69] Hiſtoire de Louis, tom. vi. p. 408. Berwick, vol. ii. p. 74.

[70] Idem, p. 80.

a long

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a long defence, which did the higheſt honour to the gallantry of the governor and garriſon, was forced to ſurrender on terms of capitulation[71]. The marquis de Bais obtained a complete victory over the Engliſh and Portugueſe, commanded by the earl of Galway and the marquis de Fronteira on the Caya, near Badajox. He next intended to inveſt Olivenza; but the arrival of the Engliſh before Cadiz occaſioned the diverſion of a part of his force, and enabled the Portugueſe to throw freſh ſupplies into the town; ſo that the only fruits of his victory, were the getting poſſeſſion of a few caſtles, and exacting contributions in the adjacent country[72].

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In Catalonia, marſhal Staremberg paſſed the Segra, and reduced the towns of Balaguer and Agen[73].

Auguſt.

The operations of the navy, in the courſe of the campaign, were both ſplendid and important. The merchantmen were every where defended with great bravery, ſometimes againſt ſuperior force; and ſeveral privateers and rich prizes were brought into the Engliſh ports[74]. The Mediterranean fleet, by taking a great number of the ſhips loaded with proviſions and ſtores for the French army, impeded its operations, and enabled that of king Charles to keep the field; which would have been impracticable had theſe ſupplies been received by the enemy[75].

The fort of St. John in Newfoundland was reduced by the ſieur de Saintovide, which proved ruinous to the Engliſh ſettlement in that quarter[76].

1ſt January.

[71] The garriſon had made an excellent defence, having ſtood the blowing up of a mine charged with twelve hundred barrels of powder, which ſhook the whole rock, and overſet one part of the caſtle; in the ruins of which, many brave officers, and a multitude of private men periſhed. Notwithſtanding this ſhock, they ſtill defended themſelves, and bore the greateſt hardſhips with cheerfulneſs, till they were reduced to the utmoſt extremity from the want of water and proviſions. Letter from General Stanhope to Mr. Walpole, Alicant Road, 21ſt April, 1709. MSS.

[72] Hiſtoire de Louis, tom. vi. p. 410.

[73] Id. Hiſtory of Europe, 1709, p. 267. A great part of the garriſon of Balaguer entered into the ſervice of the allies, notwithſtanding their having capitulated for permiſſion to march to Barcelona. Letter from General Carpenter to Mr. Walpole, Camp at Balaguer, September 1ſt, 1709. MSS.

[74] Lives of the Admirals, vol. iii. p. 216. & paſſim.

[75] Id. p. 230.

[76] Id. p. 236.

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The chevalier Parente with a few frigates made himſelf maſter of Gambia, an Engliſh colony on the coaſt of Africa, and took ſeveral rich prizes on the iſland of San Thoma, which were the property of the Portugueſe [77].

Although the allies gained two important cities on the frontier, and boaſted of a victory at Malplaquet, during this campaign, yet their ſucceſs was a poor compenſation for the vaſt expence of continuing the war, and the loſs of thirty-five thouſand men in the field; and was far unequal to thoſe fond expectations which had been founded upon the depreſſed condition of the enemy at the concluſion of the laſt campaign. The grand army had failed in their project of advancing into the interior of France, which had been held forth to prolong the patience of that party, in Holland and in England, which regretted the failure of the negotiations for peace. Great hopes had been alſo raiſed by a plan of the German and Italian armies forming a junction, and over-running Alſace; which was fruſtrated, as we have ſeen, by the ill condition of the former, and the languid and dilatory motions of the latter [78].

Although the negotiations at the Hague had proved abortive, yet there were circumſtances which encouraged the French king to continue his endeavours for peace. His plenipotentiaries, during their reſidence in Holland, had diſcovered, that it was ardently deſired by the great body of the people; and that even thoſe, who approved of the conduct of the deputies in rejecting his offers, were deluded by ſuſpicions artfully infuſed into their minds concerning his inſincerity, as well as by exaggerated expectations of the ſucceſs of the enſuing campaign. The Dutch miniſters, in the diſcuſſion of queſ-

[77] Quincy, tom. vi. p. 299.

[78] The jealouſy which had hitherto ariſen from the growing power of the king of Sweden was now removed. The czar marched againſt him with a ſuperior army to Pultowa, which Charles had beſieged. The latter, notwithſtanding his inferior force, reſolved to venture a battle, in which he was completely defeated, and the greateſt part of his army cut off or made priſoners. 8th July. He fled into the Turkiſh dominions, and ſettled under the protection of the Sultan, at Bender. King Auguſtus now reclaimed the crown of Poland, which he had reſigned by conſtraint; and marched into Poland againſt Staniſlaus, who was ſtill ſupported by the Swedes.

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tions relative to the intereſts of the States, during the conferences, could not conceal their jealouſy of the aſcendancy of the Engliſh plenipotentiaries; and Torcy was fully convinced, that the obſtructions, hitherto thrown in the way of the treaty, had all come from that quarter. At the ſame time the French king was not ignorant that the private inclinations of the queen of England were pacific; and that the party which thwarted them was declining in her favour[79]. From theſe conſiderations, notwithſtanding the recall of Rouillé, he ſtill kept up a clandeſtine correſpondence with the miniſters of the States; and even flattered himſelf with the hopes of its terminating in more favourable terms for himſelf, than thoſe which had been offered, without effect, at the general conferences[80].

In ſpite of the moſt earneſt remonſtrances from the Engliſh court, ſeveral letters paſſed between Torcy and Pettekum[81]; and the penſionary and the deputies were conſulted by the latter with reſpect to their contents. They referred principally to the thirty-ſeventh article of the preliminaries, and the ſecurity for the performance of it. The French king now offered to ſurrender three towns of Flanders into the hands of the allies, upon the condition of his naming them, and he afterwards agreed to leave the choice of them to the allies with the exception of Cambray; but the deputies inſiſted that he ſhould alſo give up three towns in Spain, to which he objected, becauſe they were not under his dominion[82]. The Engliſh plenipotentiaries, who were conſulted on every ſtep by the deputies, availed themſelves of this circumſtance, to interrupt, for ſome time, a correſpondence of which they diſapproved; and as the ſurrender of the Spaniſh towns

[79] Torcy, paſſim. Villars, tom. iii. p. 155.

[80] Torcy.

[81] Letters from Lord Townſhend to Mr. Boyle, 26th July, 2d Auguſt. Letter from Mr. Boyle to Lord Townſhend, 11th October.

[82] Torcy, vol. ii. p. 8, 9. 11. Letters of Lord Townſhend, 9th, 13th Auguſt. The penſionary was inclined to accept of the offer made by Lewis, of furrendering the towns as an effectual means for obtaining the whole Spaniſh monarchy to king Charles. Sept. 3, 1709. *Appendix*, N° XXVI.

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was deemed the only effectual meaſure for enforcing king Philip's renunciation of that monarchy, ſo the refuſal of Lewis to agree to it was held an unqueſtionable proof of his inſincerity. He ſtill, however, continued his applications to Pettekum; he offered to bind himſelf, under the ſevereſt penalties, to prevent his ſubjects from giving any aſſiſtance to his grandſon [83], he ſignified his inclination to conſent to any reaſonable expedient for removing every difficulty with reſpect to the thirty-ſeventh article; and that he might have a fair opportunity of evincing his ſincerity, he urged his willingneſs, either to ſend one of his miniſters into Holland, or to receive any perſon appointed by the States for renewing the negotiations [84]. This requeſt was backed with the following propoſals, that all the articles ſhould be ſigned as they ſtood; that the three towns in Flanders ſhould be delivered into the hands of the allies as a ſecurity for the thirty-ſeventh article; and that a ſecret one ſhould be ſubjoined, obliging himſelf to add three towns more, in caſe the Spaniſh monarchy was not ſurrendered to king Charles within the ſpace of two months [85]. Although theſe propoſals had every appearance of candour and ſincerity, the court of England ſtill perſiſted in its endeavours to perſuade Heinſius and the deputies to reject them [86]. Great jealouſies and diſcontents had been excited in every province by the ſervility with which the States had hitherto ſubmitted to the councils of her ally; and thoſe who were in the management of affairs utterly deſpaired of bringing the people to ſubmit to new burdens till every expedient had been tried for reſtoring peace. In this critical ſituation of the country, Heinſius repreſented to the Engliſh plenipotentiaries the impoſſibility of complying with their deſire; and that not only his own private

[83] Letter of Lord Townſhend, 30th Auguſt. MSS.

[84] Id. 15th October. Letter of the Duke of Marlborough to Lord Sunderland, 8th November. MSS.

[85] Torcy, vol. ii. paſſim.

[86] Letter of Lord Sunderland to Lord Townſhend, 13th Sepember. Letter of Lord Townſhend to Lord Sunderland, 18th October MSS.

intereſt,

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intereſt, but that of the party which had hitherto adhered to England, would be entirely ſubverted, ſhould he neglect to embrace one or other of the alternatives propoſed by the French king. That of ſending Pettekum to Paris was adopted as the ſafeſt, becauſe it removed the buſineſs to the greateſt diſtance from the knowledge and interference of the diſaffected members of the States, increaſing in numbers and popularity [87].

The ſucceſs of Pettekum's negotiations, after his arrival at Paris, was not ſuch as either tended to juſtify the opinion of thoſe who had been advocates for the ſincerity of Lewis, or to afford any proſpect of compromiſing the diſputed points, which had hitherto ſtopped the progreſs of the treaty. The French king now began to flinch from the propoſals communicated to the deputies through the intervention of Pettekum. He propoſed that the negotiations ſhould be carried on upon a new footing, inſtead of treating upon the articles as they formerly ſtood; though he ſtill profeſſed his willingneſs to adhere to the ſubſtance of them [88]. In juſt reſentment of this conduct, the States recalled Pettekum, and publiſhed a repreſentation of facts, inviting all the confederates to co-operate with extraordinary exertions to proſecute the war.

The Engliſh miniſters had foreſeen the difficulties which were likely to occur in the courſe of theſe negotiations, from the preſent temper of the Dutch; nor was it to be expected, that even thoſe among them who befriended England could be ſo indifferent to the intereſt of their own country, as to refuſe the advantageous terms which had been tendered by the court of France, without the proſpect of ſome recompence from their ally. To hold forth ſuch a

[87] Letters of Lord Townſhend to the Duke of Marlborough, paſſim. Letter of the Duke of Marlborough, 8th November. Id. 5th November. MSS.

[88] Letter from Lord Townſhend to Mr. Boyle, 10th December. MSS. Lewis expected that the recent diſturbances in Poland would conſequentially affect the empire, and weaken and diſtract the allies; while, at the ſame time, the affairs of king Philip began to aſſume a more favourable aſpect. Letter of Lord Townſhend to Mr. Boyle, 10th December. MSS.

proſpect,

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proſpect, the duke of Marlborough and lord Townſhend were empowered to enter into a treaty with the States, of which the leading objects were, binding them, on the one part, to become guarantees for the proteſtant ſucceſſion to the throne of Britain, and the Engliſh, on the other, to ſecure an extenſive barrier for the Dutch [89]. Although individuals in the Britiſh cabinet might think the guarantee of the States highly important to the ſecurity of the proteſtant ſucceſſion [90], there can be little doubt that the control and management of the depending negotiations had the principal weight with thoſe who finally adviſed the barrier treaty. From the ſcheme of it, the buſineſs, or duty of the agents for the different parties was not equally obvious and eaſy. The ſtipulation required by Britain, that the States ſhould guarantee the proteſtant ſucceſſion, was explicit and complete. It required no immediate explanation, nor did it lay a foundation for any future diſpute: whereas the condition required by the States, that England ſhould guarantee a ſufficient barrier for them, being general and indefinite, might imply different degrees of obligation, and admit of various conſtructions, according to the prejudices and fortunes of the parties concerned.

In proportion as the French king made conceſſions, the States ſtill roſe in their demands with reſpect to the barrier, till at length the Engliſh cabinet, however anxious to maintain a good correſpondence with their allies, found it neceſſary to tranſmit to the plenipotentiaries a ſpecification of the towns and privileges which they were willing to ſecure to the States; and beyond which, they were determined, upon no account, to advance. The States, however, had too much experience of the flexibility and complaiſance of their ally, to acquieſce in its declared ultimatum with reſpect to the bar-

[89] Inſtructions to the Duke of Marlborough and Lord Townſhend, 2d May, 1709. The barrier, which was ſpecified in theſe inſtructions, and to be inſiſted upon as a condition of peace, was the towns and forts of Furnes, Knoque, Ipres, Menin, Liſle, Tournay, Conde, Valenciennes, and Maubeuge.

[90] Lord Somers and lord Halifax ſuggeſted the barrier treaty to their whig friends, principally with a view to the intereſt of the proteſtant ſucceſſion.

rier.

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rier. The approaching journey of Pettekum to Paris gave a freſh alarm to the Engliſh plenipotentiaries: the miniſters of the States were wavering, and on the point of yielding to the popular voice, more clamorous than ever for peace. Lord Townſhend rather choſe to hazard ſomething upon his own head, than to forego the fruits of that addreſs, with which he had hitherto conducted the negotiation [91]. He concluded a treaty, by which the States obtained ſuch a barrier as not only exceeded the inſtructions tranſmitted to him from his conſtituents, but ſeemed exceptionable on account of its being hurtful to the commerce of England, and the eſtabliſhed rights of ſome of the confederate powers [92]. 29th Oct.

[91] Letter from Lord Townſhend to Mr. Boyle, 9th Auguſt. Contradictory accounts are given by the party-writers of the times concerning the date of the inſtructions of the miniſters to the plenipotentiaries, or what is commonly called, the *counter-project*. Compare the Barrier Treaty vindicated, p. 156, 195, with the preface to the Remarks on the Barrier Treaty. Lond. 1712. The firſt author aſſerts, that the counter-project was formed before the preliminary treaty; the latter, that a project of treaty was firſt tranſmitted from Holland; but being diſapproved of by the court of England, a new one, with ſeveral alterations, was ſent back to lord Townſhend. As the title implies, that the counter-project was of a later date; and the cenſure paſſed upon lord Townſhend, by the houſe of lords, proceeds upon the ſame ſuppoſition, I have admitted this to be the fact. At the ſame time, we can hardly ſuppoſe the miniſters to have been ignorant of lord Townſhend's deſire finally to gratify the extravagant demands of the States.

[92] See the Sentiments of Prince Eugene and Count de Sinſendorff, and the Repreſentations of the Engliſh Miniſters at Bruges. The treaty conſiſted of twenty-one articles. The 1ſt, 2d, 16th, 17th, 18th, 20th, referred ſolely to the guarantee of the proteſtant ſucceſſion; the other articles to the Dutch barrier, or the intereſt of the States alone, unleſs it be ſuppoſed that England had alſo a ſeparate intereſt in the barrier, as affecting the balance of power and the proteſtant ſucceſſion.

The States were by no means forward to engage themſelves as ſecurities for the proteſtant ſucceſſion; and declined doing it when it was propoſed to them by lord Halifax two years before. They doubted of the queen's being ſincere in the wiſhes ſhe expreſſed for that event; and were afraid that their having any concern in it might embroil them with England and France upon the death of the queen. Cunningham, vol. ii. p. 268. The later reſolutions of the Britiſh parliament, which farther ſecured the proteſtant ſucceſſion removed their fears, and the value of the premium, a barrier, "which," the duke of Marlborough ſays, in a letter to lord Sunderland, "incloſed a great kingdom," inſpired the States with a zeal for the Hanoverian ſucceſſion which they did not feel during the firſt years of the war.

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Obſervations on the State Parties.—The Intereſt of the Whig Junto declines—Cauſes of it.—Dr. Sacheverel—His Character—Preaches before the Lord Mayor—Effects of his Sermon—Conſultations of the Miniſters about it—The Doctor impeached—The Exertions of his Friends,—and the Delay of his Trial—favourable to him—Account of the Trial—Conſequences of it—Turbulence of the People—Inſolence of the Doctor—Rejoicing upon his Acquittal.—Summary View of the Proceedings of Parliament, Seſſion 1709, 10.*—Campaign* 1710.*—Duke of Vendoſme comes up with a Body of the Confederates, commanded by General Stanhope, at Briheuga—The General and all his Men made Priſoners.—Battle of Villa Vicioſa.—Staremberg retreats to Catalonia.—Proſperity of the Affairs of King Philip.—Succeſs of the Marquis de Bais in Portugal—He prevents the Junction of the Portugueſe with General Staremberg—Takes Miranda, &c.—Naval Affairs.*

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THE whig junto had now arrived at the ſummit of power, and poſſeſſed every advantage for retaining it. Having diſmiſſed from the public ſervice all thoſe perſons, who were ſuſpected of interfering with their councils, or aſpiring at an independent intereſt, they had nothing to fear from the ſecret diſpleaſure of the ſovereign, and the intrigues of her domeſtics, deſtitute of any official authority. They had appeaſed friends fretted by former diſappointments in the diſpoſal of the offices vacated by their opponents, and brought into action the whole collected force of their party. A decided ſuperiority in the houſe of commons, and the confidence of the monied intereſt, enabled them to proſecute the war with a vigour and proſperity, which redounded to the increaſe of their reputation and popularity.

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From the review of theſe circumſtances, there appeared little reaſon for ſuſpecting any near revolution in the ſtate of power, or any change of public meaſures. In proportion, however, to the influence of popular opinion in any government, the poſture of political power and the tenor of public meaſures muſt ever be precarious and mutable. There cannot be a fairer criterion for aſcertaining the extent of democratic influence in the Britiſh conſtitution, than an appeal to the multiplied examples which occur in our own hiſtory of the irreſiſtible force of popular opinion in controlling the will of the ſovereign, ſubverting the authority of a predominant faction, and entirely changing the complexion of ſtate affairs. When we have ſurveyed that turn of ſentiment, which was naturally promoted in the minds of the people by the ſtate of the country, and a variety of circumſtances which occurred during the receſs of parliament, we ſhall be fully prepared to expect thoſe remarkable changes which happened relative to parties and meaſures in the ſubſequent period of this reign.

1. The recent experience and feelings of the great body of the people contributed, gradually, to the abatement of that ardour with which they had entered into the war; and at length excited an impatience for ſecuring the fruits of conqueſt by a ſolid peace. The national antipathy to France, and apprehenſions, by no means unfounded, concerning the danger of the proteſtant religion and the liberties of England, rendered the war popular at its commencement, and diffuſed general impreſſions of the wiſdom and patriotiſm of the miniſters who had adviſed it. The intereſting events of ſucceſſive campaigns occupied the attention and gratified the curioſity of the public; the brilliant victories of the duke of Marlborough reflected a luſtre upon the nation, and flattered the general expectation of ſoon obtaining a peace upon terms the moſt favourable to the proſperity of Britain and her allies. But when the war came to be protracted beyond the utmoſt term preſcribed by its adviſers, and re-

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peated victories, the moſt fatal to the armies of the French king, neither exhauſted his reſources, nor ſubdued his ſpirit; when the affairs of Charles declined in Spain, and the dethronement of Philip, a principal object of the confederacy, receded farther from view, and yet was inſiſted upon as the indiſpenſable condition of peace; when the ſupplies, for every ſucceſſive campaign, advanced in an accumulated proportion; and the enormous weight of taxes not only obſtructed the channels of gain, and contracted the indulgences of luxury, but required a ſacrifice of thoſe moderate accommodations of life which were the fruits of patient labour and rigid economy; the enthuſiaſm for the war began to give place to murmurs and complaints; which were eaſily wrought up into an odium againſt the miniſters, who were accuſed of meaſures unfriendly to the intereſt and deſire of the nation [2].

Many circumſtances concurred to nouriſh this ſpirit of diſcontent, and to quicken it into action. The non-performance of engagements, of which the allies had been repeatedly convicted, notwithſtanding the ſuperior advantages procured to them by that ſucceſs to which England had moſt profuſely contributed, excited diſguſt and impatience for a ſeparation of intereſts [3]. The rapacious diſpoſition and unprecedented emoluments of the general tarniſhed the honour of his matchleſs talents in the field, and of his eminent ſervices to his country. The overgrown fortunes of other individuals who had

[2] Memoirs of the four laſt Years of Queen Anne. p. 56. London, 1742, Cunningham, vol. ii. p. 340. Trade in every branch had declined; many of the principal ſhops and warehouſes in the city were ſhut up, and the number of bankrupts exceeded any former example. Reaſons for putting a ſpeedy End to the War, p. 18. Lond. 1711.

The burden of the war was, comparatively, but little felt for the firſt ſix years after its commencement. The ways and means, impoſed for paying the national debt after the peace of Ryſwick, were prolonged: thus, inſtead of expiring in the year 1706, when it was computed that the principal and intereſt of five millions would have been diſcharged, they were continued four years longer by the firſt parliament of the queen; and few additional taxes were laid on by the whig miniſters till the laſt year of their being in power. Hiſtory of the four laſt Years of the Queen, p. 163. Lond. 1758.

[3] Life of Bolingbroke, p. 157.

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been employed in the public ſervice, imprudently and oſtentatiouſly diſplayed, excited envious ſuſpicions of the partiality and extravagance of thoſe miniſters, under whoſe patronage they had been acquired [4]. The fruitleſs reſult of the late negotiations, notwithſtanding the conceſſions made by the French king, evinced the diſinclination of the preſent miniſters to put an end to the war; and conſtrained impartial men to aſſociate that event with their diſmiſſion.

The general anxiety for peace, promoted by arguments adapted to the underſtanding and the intereſts of every claſs, was heightened by the impulſe of affections and feelings, which daily grew more univerſal and intereſting from the prolongation of the war. The prodigious waſte of lives in every campaign, by the ſword and diſeaſe, plunged many families into the deepeſt affliction. Under the predominancy of paſſion, the judgment is unwarily deceived; and in the agony of grief, the innocent cauſe of it often becomes the object of horror and reſentment [5]. Eſtimating the expediency of the war by their own ſenſibility and ſufferings, rather than by public conſiderations, and forgetting the ſentiments which perhaps they entertained at its commencement, the generality of the people liſtened, with a prejudiced ear, to every calumny inſinuated againſt thoſe who adviſed or conducted meaſures incidentally productive of the moſt direful effects. All ſuch readily joined in the clamour againſt the treaſurer and the general; and conſidered every exertion within their ſphere to clog and obſtruct the war, as a dutiful teſtimony of affection towards their friends, who had prematurely fallen; as well as an act of kindneſs to their fellow citizens, whoſe happineſs was involved in the eſcape and ſafety of relations, who ſtill remained in the ſcene of danger.

[4] Letter from a Foreign Miniſter to Monſ. Pettekum. Lond. 1710.

[5] One of the agents of the court of St. Germain's, in a letter to the earl of Middleton, 3d November 1711, ſays, that when he was laſt winter in England, he ſaw ſo much of the diſpoſition of the people, that if all were to be polled, nine in ten would abſolutely vote for peace. Stuart Papers, 1711. Macpherſon.

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The loſs of men, occaſioned by the war, and averſion to its continuance, rendered it impoſſible to ſupply the army, as formerly, with volunteers; and impoſed upon the miniſters the neceſſity of having recourſe to a ſort of legal coërcion, by exacting a certain number of recruits from every pariſh in proportion to its population. Though this meaſure had obtained the ſanction of the legiſlature, yet its novelty and violence furniſhed the diſaffected with additional matter of complaint, and aggravated the very evils which ſuggeſted the adoption of it. The juſtices of peace diſcovered great reluctance in ſuperintending the execution of the law, when it could not be done without the interpoſition of military force, and was attended with perſonal danger; and ſome of them yielded to the fury of the mob, and diſcharged the perſons who had been taken up and enrolled by the commiſſioners acting under the authority of parliament[6]. The general oppoſition and tumults of the people at length increaſed to ſuch a pitch, that her majeſty was adviſed by her privy council to

9th June. publiſh a proclamation for ſuſpending the operation of the act till the meeting of parliament[7]. The progreſs of this buſineſs exhibited to the court and the miniſters a mortifying demonſtration of the univerſal diſguſt at the war, and the increaſing difficulties of carrying it on.

2. The ſcarcity and high price of proviſions, occaſioned by the rigour of the preceding ſeaſon, foſtered a ſpirit of diſcontent and turbulence among the lower ranks; and rendered them more prone to imbibe thoſe unfavourable apprehenſions of national affairs, which were infuſed into their minds by the induſtry of factious men, and the enemies of adminiſtration. Of all the calamities which afflict the human race, famine is the moſt alarming and dreadful; and though it ariſes from cauſes which earthly potentates cannot control,

[6] An order was iſſued by the privy council for expunging the names of thoſe juſtices out of the commiſſion of the peace, and for proſecuting them in terms of law.

[7] Journals Commons, 23d December 1708. Annals Anne, 1708, p. 272. Id. 1709. p. 158. The execution of this act gave her majeſty great uneaſineſs, and made her more impatient for the reſtoration of peace. Conduct of her late Majeſty, p. 24.

yet

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yet no engine has been more frequently and ſucceſsfully employed to embroil communities, and to diſturb and overturn the exiſting governments. In ſuch a criſis, every circumſtance that ſeems to aggravate the popular diſtreſs, by withholding the mitigation or retarding the removal of it, is eagerly urged, and raſhly admitted, as a proof of the hardheartedneſs or incapacity of thoſe who have the misfortune to be veſted with power, and to direct public meaſures. The effects of the unfruitful ſeaſon, diſtreſsful in every part of Europe, were felt with aggravated ſeverity in the frontier diſtricts of Germany, where the ſoil is rocky and barren, and where the huſbandmen had been ſo often interrupted in their labours by invaſion, and robbed of their ſcanty harveſt by the ravages of war. The abſolute want of all the neceſſaries of life left no alternative to the miſerable inhabitants of the Palatinate, but paſſive reſignation to a lingering death, or relinquiſhing their native land, and throwing themſelves entirely upon the compaſſion of ſtrangers. The bill for the naturalization of foreign proteſtants, together with the merit of having ſuffered for the ſake of their religion, naturally made theſe wretched emigrants turn their eyes to the Britiſh ſhore, as the place of their deſired refuge; and, for the honour of our country, did no more than give a legal ſanction to that ſeaſonable hoſpitality, which muſt have flowed ſpontaneous from the philanthropy of Engliſh hearts. Above five thouſand German refugees, moſtly palatines, arrived in England in the beginning of the ſummer 1709, emaciated with hunger, deſtitute of cloaths and every comfort of life. A general commiſeration was immediately excited, and produced ſpeedy and effectual exertions for removing that miſery which was the viſitation of Providence, and nowiſe imputable to idleneſs or miſconduct. The queen granted the refugees eighty thouſand pounds out of the treaſury, together with a liberal donation from her private purſe; and ordered tents from the tower for lodging them in the fields around the ſuburbs of London. Many wealthy individuals miniſtered to their relief by contributions of money, food, and cloaths;

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cloaths; and others, whoſe moderate fortunes did not permit the indulgence of gratuitous liberality, deviſed channels of beneficence not leſs efficient, by furniſhing them with various kinds of work, adapted to their ſtrength and wonted occupations, which they performed with ſuch dexterity, and for ſuch moderate wages, as abundantly rewarded the kindneſs of their employers. But leſt thoſe reſources, flowing from the good diſpoſitions and exertions of a limited, though wealthy and populous diſtrict, ſhould have proved inadequate to remove ſufferings of ſuch extent, and that no part of the community might be excluded from ſharing in the honour of ſo benevolent a deed, a royal brief was publiſhed, appointing collections to be made through the whole kingdom; and empowering commiſſioners to receive and diſtribute the money ariſing from them. The biſhops directed letters to the clergy of their ſeveral dioceſes, enforcing the royal recommendation with an affectionate energy, exceedingly becoming the ſpirit of that religion of which they were the public guardians [s].

26th June.

Though it be the province of the hiſtorian to exhibit a true ſtatement of facts, whatever inferences may be drawn from them with reſpect to the character of human nature, yet it muſt afford him ſingular ſatisfaction, when, adhering to fidelity, he enjoys the opportunity of delineating thoſe diſpoſitions and actions, which redound to the honour of his ſpecies, and attract the applauſe and imitation of his readers. He muſt, on the other hand, be mortified by reflecting that in the ſeries of public events ſuch opportunities occur ſo ſeldom; and that, like the fleeting gleams of ſun-ſhine in a day of tempeſt, they muſt ſoon give way to thoſe dark ſhades which predominate ſo much in the pictures of human life. If any apology be neceſſary for moralizing, in a work profeſſedly hiſtorical, that apology will be ſuggeſted by the unpleaſant tranſition of ſenſations which ariſe from purſuing the ſequel of an event ſo conſonant to the nobleſt feelings of the heart. A more ſhocking example of the venom of political

[s] Annals Anne, 1709. Appendix, N° III.

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rancour can hardly be imagined, than what was at this time diſplayed by the leaders of a diſappointed faction, who not only put the moſt odious conſtruction upon the charity patroniſed by their antagoniſts, but laboured, with a malignant ſpite, to expoſe the unhappy objects of it to the perſecution of a miſguided populace. They were compared to the locuſts of old, ſent in the wrath of heaven to conſume the fruits of a fertile land; and to conſign its guilty inhabitants to want and deſtruction. It was ſaid, that they had been imported by the miniſters, to eat up the bread and the harveſt of the induſtrious natives, that, by breaking their ſpirits, they might become a prey to the tyranny of their oppreſſors; and that the naturalization bill was intended to pave the way for thoſe gueſts, to commit legalized depredation upon Britiſh ſubjects. The immediate reduction of the price of labour, in the field and in manufactures, occaſioned by ſuch a ſudden increaſe of induſtrious workmen, rendered the lower ranks more ſuſceptible of every miſrepreſentation to the prejudice of the poor ſtrangers; and at length provoked ſuch open rudeneſs and inſult, as rendered it unſafe for them to remain in the country. The greateſt part of them were tranſported to the Engliſh colonies; ſeveral to Ireland; and ſome, who were ſuſpected of being Roman catholics, were ſent back into Holland[9].

3. Of all the incentives to diſcord, agitated at this period, none were more banefully ſucceſsful than thoſe which wrought upon the religious prejudices of the people. Although king William reſcued the church of England from imminent deſtruction, he had not ſat many months upon the throne, before ſome of her moſt zealous friends grew jealous of the ſincerity and firmneſs of his attachment to her intereſts. His laudable endeavours for extending religious liberty furniſhed the high church clergy, and the party out of power, with ſpecious grounds for fomenting ſuſpicions ſubverſive of that grati-

[9] Annals Anne, 1709, p. 166. Cunningham, vol. ii. p. 147. 216, 17. Pamphlet of the Times. Among the refugees, there were many huſbandmen, ſchoolmaſters, and tradeſmen of every kind. Annals Anne, 1709, p. 167. Salmon, a tory hiſtorian, calls them beggars, who underſtood neither our manufactures nor huſbandry; vol. xxvi. p. 65.

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tude and confidence which were due for his important ſervices. If William had, upon any occaſion, concealed his principles, or countenanced meaſures repugnant to them; or if he had ever flattered the high church party, who enjoyed their turn of power, with promiſes of favour which he did not perform, the induſtry of factious men muſt at length have ſucceeded in ripening the latent murmurs of bigotry into active and tumultuary violence. In the reign of his ſucceſſor, whoſe prejudices were all upon their ſide, the high church men and the Tories anticipated an aſcendancy at court, which they were reſolved to occupy for promoting every meaſure tending to the ſecurity of the eſtabliſhment, and the excluſive and permanent pre-eminence of its friends. The firſt experiment of their power proved abortive and diſheartening. By the loſs of the bill againſt occaſional conformity, they were made ſenſible, that they had calculated too fondly upon the patronage of the ſovereign; and that they could not depend upon her ſteadineſs in proſecuting meaſures, which, though agreeable to her private inclinations, were likely to meet with determined oppoſition from any conſiderable body of her ſubjects. The very ground upon which the Tories were diſcomfited at this time, they ſtill kept in view, as the moſt favourable for renewing their attacks upon that intereſt, which, to their utter mortification, grew more firm and potent under a ſovereign, on whom all their hopes had depended. From her deſertion, they inferred a new argument for ſounding the alarm of danger, and muſtering a very powerful force upon their ſide, ready to ſtand forth in defence of the church at every hazard. The great body of the people in England were members of the eſtabliſhment; and as the Roman catholics upon the one ſide, ſo the diſſenters upon the other, were viewed with jealouſy and ill-will, which had occaſionally been brought into action againſt the one or other of theſe ſects, according to the nearneſs and magnitude of the danger apprehended from their prevalence. The Whigs were always foremoſt in urging the neceſſity of guarding againſt popery, glancing at the Tories, as if they were not enough alarmed from that quarter;

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quarter; and the Tories retaliated by declaiming upon the inſecurity of the eſtabliſhment, and the invaſion to which it was expoſed from the increaſe of ſchiſmatics, ſheltered under the patronage of the Whigs. The late intended invaſion of Scotland by the pretender, and the ſuſpicion of conſpiracies there, had directed the current of popular prejudice againſt the Roman catholics; circumſtances had formerly occurred, and might again occur, for turning it againſt the diſſenters. To attend to theſe, to improve them, to exaggerate them, to avail themſelves of coincident events for awakening the dormant paſſions of the people, were the expedients which a faction, compoſed of religious zealots and diſappointed politicians, hoped to employ with ſucceſs, for ſubverting the power and popularity of thoſe who ſo tenaciouſly held the reins of government.

A criſis now enſued peculiarly propitious for reducing their ſchemes to practice, and accelerating their accompliſhment. Beſides the circumſtances already mentioned, as contributing to popular diſcontent and commotion, ſome late public meaſures, more immediately connected with the religious intereſts of the kingdom, were artfully placed in ſuch a light, as to alarm the fears of the ignorant, and to inſtigate the fury of the bigot. The danger of incorporating into the legiſlature a body of men who adhered to a religious eſtabliſhment, which had formerly triumphed over epiſcopacy and which had ſtill a number of friends lurking within her boſom, had been urged as a ſtrong objection to the union, and left a deep impreſſion upon the minds of many, whoſe narrow information and ignorance of human life rendered them incapable of diſcerning either the fallacy of arguments, or the hypocriſy and ſelfiſh views of the perſons who ſuggeſted them.

The ſuſpenſion of the convocation, during the laſt ſeſſion of parliament, not only gave a new ſpur to the acrimony and intrigues of the violent clergy, whoſe intereſt had prevailed in the elections, but furniſhed them with plauſible topics for announcing the perilous condition of the church, and for kindling the zeal of the people in

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the ſeveral diſtricts where their charges lay. The right of the crown to interfere with the proceedings of the convocation had been agitated during the laſt parliament, and had made a breach between the court and the convocation; and, after the receſs, it was obſerved, that the leading aſſertors of eccleſiaſtical rights had been marked out as the objects of miniſterial diſpleaſure. By ſuppreſſing the convocation, not only the queſtion concerning the limitation of its power was decided, but its exiſtence annihilated; and all its incontrovertible prerogatives transferred to the ſtate, under the guidance of miniſters ſuſpected of inveterate hoſtility to the national eſtabliſhment.

Nor, in the enumeration of perils, was the naturalization bill forgotten. It had been remarked, that, ever ſince the revolution, the Whigs and diſſenters had cordially united in the protection of the proteſtant refugees. In promoting and ſupporting the naturalization bill, both diſcovered an ardour that had been ſeldom known to reſult from the bare impulſe of benevolence. Was it not notorious, that the refugees, in their own country, adopted doctrines and forms of worſhip ſimilar to thoſe of the Engliſh diſſenters; and, far from concealing their partiality for that claſs of men, had embraced every opportunity of abetting their meaſures, and ſtrengthening their political influence? The concluſion was therefore irreſiſtible, that, in all this, the Whigs had a ſcheme of increaſing the number of their friends at home; that, by holding out the allurements of the trade and franchiſes of England to encourage the acceſſion of emigrants, they were gradually building up their own intereſt; and clandeſtinely ſapping the foundations of that venerable fabric, which they had once and again aſſailed with open violence [10].

The wide diffuſion and pernicious effects of theſe ſentiments there was the greateſt reaſon to dread, from the ardour and diligence of the perſons who propagated them in private circles; from the various

[10] Reſtoration of Epiſcopacy, p. 5. London, 1705. Salmon, vol. xxvi. p. 26. Cunningham, vol. ii. p. 216.

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publications of the ſame tendency, which were ſent into every corner of the country; and, above all, from the factious ſpirit and intemperate zeal of many of the clergy, who proſtituted the duties of their holy function to the ſervice of political warfare. Moſt of theſe were of low rank, but they were encouraged and aided by a few who were diſtinguiſhed for literature and talents, and now commenced the bitter enemies of adminiſtration, either upon account of private diſappointment, or from a ſenſe of the indignities, which, they imagined, the hierarchy and the national eſtabliſhment had ſuſtained from the complexion and tendency of public meaſures. Not contented with inculcating, in their public diſcourſes, a ſteady attachment to the worſhip and doctrines of the church, from fair arguments addreſſed to the underſtanding; to inflame the paſſions of their people, her danger was pathetically deſcribed; perſonal reflections were pointed againſt the characters of the miniſters, the diſſenters were mentioned with virulence, and important conſtitutional principles impugned under the authority of eccleſiaſtical decrees and homilies [11].

Among the multitude in holy orders, who ſtood forth as champions for the church in the hour of her extremity, or, in the language of another party, as the trumpeters of ſedition, there was no one who attained to greater celebrity for his boldneſs, his popularity, his perſecution, and his final triumph, than Henry Sacheveral, rector of St. Saviour's, Southwark. The faſcination of party zeal admoniſhes the hiſtorian, to admit, with diſtruſt and abatement, contemporary delineations of the talents and diſpoſitions of individuals, who have flouriſhed in a period of political ſtrife. Setting aſide altogether thoſe defamatory repreſentations, which we may ſuppoſe to have been tinctured with the reſentment of the partiſan [12], and ſubtracting

[11] Memoirs of the four laſt Years, p. 57. London, 1712. Cunningham, vol. ii. p. 275. Atterbury, Swift, and Smalridge were the moſt reſpectable champions for high church. It was alledged, that the whig miniſtry diſcovered, at this time, an indiſcreet contempt for the clergy, upon the ſuppoſition, that the generality of them were in the tory intereſt. Life of Bolingbroke, p. 128.

[12] High Church diſplayed, or an Hiſtorical Account of Dr. Sacheveral, paſſim. Lond. 1711. Oldmixon, vol. ii. p. 429. Burnet, vol. vi. p. 1066. Cunningham, vol. ii. p. 82.

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but little from the moſt favourable teſtimonies tranſmitted to us by his admiring votaries[13], there will remain no ſolid evidence for putting a high eſtimation either upon the abilities or virtues of Dr. Sacheveral. His opponents have charged him with ſcandalous immoralities, while his friends have founded their encomiums, chiefly upon the orthodoxy of his doctrines, and the fervour with which he propagated them, which muſt be reckoned, eſpecially in times of violence, very queſtionable teſts of merit. From the ſpecimens of his public diſcourſes, which were committed to the preſs, we may fairly conclude that the extraordinary applauſe with which they were received, and the deep impreſſions which they made upon his audience, muſt have been owing to his reputation for zeal, and the graces of his perſon and delivery, rather than to ſolidity of argument, originality of ſentiment, or elegance of ſtyle[14]. From the teſtimonies of ſome of his contemporaries, he ſeems entitled to the praiſe of conſiſtency; and the pruriency of his bigotry for high church principles, at his outſet in life, was a prelude to the perſevering activity and keenneſs with which he afterwards promulged his favourite ſyſtem, in the public character of a clergyman[15]. He was

[13] Defence of Sacheveral. London, 1710.

[14] He had a melodious voice, a good figure, and graceful delivery. Cunningham, vol. ii. p. 275.

[15] Hiſtorical Account, p. 2. Impartial View of the two laſt Parliaments, p. 149, 50. The zeal of the doctor was not of the ſame mould with that of his progenitors. John Sacheveral, his grandfather, was one of the Preſbyterian miniſters ſilenced by the act of uniformity; and, being afterwards found in a conventicle, ſuffered three years impriſonment, which occaſioned his death. Tindal, vol. viii. p. 321.

Mr. Addiſon dedicated one of his early poems on the character of the Engliſh poets, to H. Sacheveral; and the author of the life of Mr. Addiſon, in the late edition of the Biographia Britannica, lays hold of this circumſtance as ſufficient evidence of Sacheveral's having been a *Whig* at his outſet in life. The author of the life of Mr. Addiſon, inſerted in a late edition of the Spectator, (Robertſon, 1794,) has adopted the ſame concluſion. It were equally fair to invert the concluſion, and to infer from the above fact, that Mr. Addiſon was once a *Tory*; for, when two contradictory concluſions may thus be drawn from the ſame fact, neither of them can be agreeable to the principles of ſound logic. In the ſucceſſive ſtages of human life, different taſtes and aſſociations form bonds of friendſhip, and furniſh incitement to antipathies. An ardour for ſcience and literary improvement begets fond attachments among congenial minds, without being productive of ill-will to contemporaries of inferior genius and accompliſhments. Party and political zeal engender the deepeſt hatred and rancour, while the attachments erected upon it, however fervent for a ſeaſon, are fluctuating and fallacious.

In

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was firſt preſented to a ſmall living in Staffordſhire, where he became a declared advocate for the high church party, with the leaders of which he principally aſſociated, and ſeemed determined to challenge perſecution, by unguarded expreſſions in his converſation and public diſcourſes, with reſpect to the memory of king William, the Hanoverian ſucceſſion, and the conduct and meaſures of the queenand her miniſters [16]. It is a curious fact, and will not appear incredible to thoſe who attend to the ſtrange transformations and veering attachments of party-men in their own time, that the edge of Sacheveral's oratory was firſt turned againſt Mr. Harley, ſir Simon Harcourt, and Mr. St. John, who now patroniſed him, and made him the tool of their reſentment and promotion [17].

Emboldened by the flattering attention of ſome of the Tories of eminent rank, and the applauſe of an enthuſiaſtic multitude, Dr. Sacheveral at length proceeded, on the moſt public occaſions and in the face of magiſtracy, to ſuch an extravagant pitch of inſolence and ſcurrility, as could no longer eſcape the notice and reprehenſion of government. On the 5th of November 1709, being the anniverſary of the gun-powder plot, and the revolution, he preached before the lord mayor and aldermen, upon the ſubject of *Perils from falſe Brethren*. The memorable events, recalled by the day, were ſlightly mentioned. The damnable nature of ſchiſm; the iniquity of forbearance with tender conſciences; oblique imputations on the memory of king William, and the revolution; the condemnation of the doctrine of reſiſtance; the treachery of miniſters; and the imminent danger of the church, together with exhortations to the duty of ſtanding forth in her defence, were the principal topics upon which the preacher declaimed, in a ſtyle of acrimony and paſſion, which, not leſs than the matter, inflamed the enthuſiaſm of one party, and excited the indignation of another. The publication of this ſermon,

2 Corinth. xi. 26.

In the period of youth and mental cultivation, the influence of the former prevails; in advanced life, that of the latter, alas! too often gains the aſcendant.

[16] Tindal, vol. viii. p. 321.

[17] Cunningham, vol. ii. p. 82.

with

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with a dedication to ſir Samuel Garrard the lord mayor, was an aggravation of inſolence and indignity, which offended all the friends of order and the conſtitution as well as the miniſters [18]. For the ſermon was read with avidity by perſons of every deſcription; and forty thouſand copies were diſperſed within a few days. The ſubject of it engaged the converſation of every company; became a ſtanding topic of colloquial diſpute; drew forth innumerable polemical pamphlets; and the approbation or cenſure of this frivolous performance, was deemed an unerring criterion of the political principles and wiſhes of the perſons, by whom they were expreſſed. The doctor was loaded with the moſt flattering marks of reſpect and gratitude; and his abilities extolled in the moſt fulſome ſtrains of panegyric by the opponents of adminiſtration.

The miniſters were now reduced to the moſt embarraſſing dilemma, either of attempting the arduous enterpriſe of ſtemming the torrent of popular prejudice, in which, if they failed, they were likely to be overwhelmed by its violence, or of acquieſcing in calumnies deſtructive of their own reputation, and incurring, at the ſame time, the charge of criminal remiſſneſs, by ſuffering doctrines, which ſtruck at the very root of the conſtitution, to be audaciouſly propagated with impunity. The only probable expedient for extricating themſelves from theſe preſſing difficulties, and diſappointing the malignant expectations of their adverſaries, who were prepared

[18] Dr. Sacheveral, previous to his preaching before the lord mayor, had publiſhed a faſt-day ſermon, delivered before the univerſity of Oxford, 10th June 1702. *Political Union*, publiſhed the ſame month. *The Character of a Low Church Man. An Aſſize Sermon*, preached before the univerſity of Oxon, juſtices, and grand jury, 9th March 1704. *The Rights of the Church of England*, 1705. *An Aſſize Sermon*, at Derby, intitled, "The Communion of Sin," 15th Auguſt, 1709, with a dedication to George Sacheveral, the high ſheriff, who was his relation. All theſe publications were of the ſame ſeditious tendency; but the proof of the articles of impeachment was confined to the ſermon preached before the lord mayor in London, and the dedication of the ſermon preached at Derby. Sir Samuel Garrard, the lord mayor, moved in the court of aldermen, that the doctor ſhould be thanked for his ſermon, and deſired to print it. Upon the motion being rejected, he was aware of his miſtake, and wiſhed to withdraw his patronage; but the doctor, who was not wanting in preſumption, conſidered his lordſhip's private opinion, as ſufficient warrant for publiſhing the diſcourſe, with a dedication to him. Tindal, vol. viii. p. 323.

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to make a common cauſe with Sacheveral, was either to refer the offender to the cenſures of the eccleſiaſtical judicatories, or to proſecute him, in common form, before the courts of law. The laſt of theſe was ſtrenuouſly urged by lord Somers, who foreſaw the conſequences of meaſures, bearing an aſpect of private ſpleen [19], and inviting the public interference of parties. The reſt of the miniſters, and particularly the duke of Marlborough and lord Sunderland, recommended an impeachment, which, by intereſting both the branches of the legiſlature in the diſcuſſion of the ſubject, the one in its cenſorial, and the other in its judicial capacity, would probably terminate in the moſt ſolemn and public condemnation of principles, in effect avowed by all who defended Sacheveral's conduct. Unfortunately for the party, the modeſty of lord Somers was overruled by the importunity of his colleagues; and the reſolution for impeaching Sacheveral was adopted by the privy council [20].

This buſineſs was opened in the houſe of commons by Mr. Dolben, who complained of two ſermons preached by Dr. Sacheveral, the one at the aſſizes at Derby, the other in St. Paul's before the lord mayor; and read ſome of the offenſive paſſages contained in them, which, after a warm debate, were voted ſcandalous and ſeditious libels. The doctor being called to the bar, avowed the publications complained of, without any apology or recantation. Upon which, it was reſolved, that he ſhould be impeached of high crimes and miſdemeanors before the houſe of lords; and that Mr. Dolben ſhould move the charge in name of all the commons of Great Britain. A committee was appointed to draw up the articles of impeachment,

[19] The duke of Marlborough, lord Godolphin, and lord Sunderland were particularly irritated againſt the doctor, becauſe, in ſome of his publications, he had calumniated them under fictitious names.

[20] Cunningham, vol. ii. p. 277, 8. It was ſaid, that the miniſters, particularly lord Godolphin, aware of the tide of popularity running againſt them, laid hold of this opportunity to divert the induſtry of oppoſition, which would probably have been directed to inquiries vexatious to themſelves. Letter of a Foreign Miniſter to Monſieur Pettekum, p. 7, 8. Somers, vol. ii. p. 244.

and

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and the doctor was committed to the cuſtody of the ſerjeant at arms [21].

As ſoon as theſe reſolutions tranſpired, the ſupporters of Dr. Sacheveral, among whom there were many of too much diſcernment to eſteem the character of the man, began to employ every artifice to give a colour of importance to the approaching trial, to which it was but little entitled; and to intereſt the paſſions of the multitude, by impreſſing them with the moſt unfavourable views of the proſecutors, and the ſad conſequences of their ſucceſs in bringing him to puniſhment [22]. With the ignorant and prejudiced, petulant aſſertions ſupply the place of fact. The mere title given to a cauſe or queſtion under diſcuſſion, and the arbitrary conjunction of terms, are often ſufficient to fix an aſſociation of ideas, which no force of evidence can ſeparate or diſannul. Sacheveral and the church were coupled together; and the device, more ſucceſsfully than any argument, kindled the enthuſiaſm of thouſands, who placed their moſt intereſting hopes upon their attachment to that religious eſtabliſhment, within the pale of which they had the good fortune to be born [23]. The cauſe of Sacheveral and of the church were conſidered as one and indiviſible; Sacheveral and the church became the favourite toaſt of every convivial meeting; and his deliverance and her proſperity were conjoined in thoſe ſolemn addreſſes preſented to the throne of Heaven, from which every dubious requeſt ought to be excluded with the moſt ſcrupulous delicacy [24].

The long interval between the impeachment and proſecution of the doctor, protracted the opportunity of thoſe who laboured to poiſon and pervert the opinions of the people [25]. In conſequence of the

[21] Journals Commons, 13th December.

[22] The doctor's anſwer to the articles of impeachment was handed about by his friends, in manuſcript, before the lords proceeded in the cauſe. Hiſtorical Account, p. 11.

[23] Tindal, vol. viii. p. 332.

[24] Id. Annals Anne, 1709. p. 256. 265.

[25] From the commencement of the proſecution, the clergy of the doctor's party often referred to his caſe in their public diſcourſes. The

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the uſual adjournment at Chriſtmas, the articles of impeachment were poſtponed to the 9th of January 1710; and it having been afterwards voted by the commons, that a committee of the whole houſe ſhould attend the trial, a new delay became neceſſary till Weſtminſter hall was fitted up for their reception. By the addreſs and induſtry of faction, and the contagion of popular prejudice, ſuch an impreſſion was made upon the public mind, as aboliſhed every hope of the proſecution's reſulting to public advantage, or the credit of the party who urged it, whatever might be its final determination.

After long expectation, the trial of Dr. Sacheveral commenced before the lords in Weſtminſter-hall, on the 27th of February 1710. The charges againſt him were comprehended in four articles; namely, he maintained, that the means uſed for bringing about the revolution were unjuſtifiable; that the toleration, granted by law, is unwarrantable; that the church of England is in great peril under her majeſty; and that her adminiſtration tends to the deſtruction of the conſtitution [26].

It is not eaſy to preſent in an abridged form, conſiſtently with perſpicuity, and the plan of this work, the ſubſtance of the various arguments, contained in the repreſentations of the managers for the commons; in the anſwers and replications made by the doctor and his council; and the ſpeeches of the judges, which, all together, fill two hundred pages of the journals of the lords. A few ſhort and general remarks may convey to thoſe readers, who do not chooſe to

The excellent conſtitution of the church, and its imminent danger, were openly inculcated. The leaders of oppoſition courted the company of the zealots; invited them to their tables; and, by their attention and hoſpitality, during the ſeaſon of feſtivity, too much fomented that effrontery of licentiouſneſs which diſgraced the nation. Cunningham, vol. ii. p. 283.

[26] The managers for the commons were ſir John Holland, comptroller of her majeſty's houſehold; Mr. Secretary Boyle, Mr. Smith, chancellor of exchequer; ſir James Montague, attorney-general; Robert Eyre, Eſq. ſolicitor-general; Robert Walpole, Eſq. treaſurer of the navy; ſir Joſeph Jekyl, Mr. Lechmere, Mr. Dolben, ſir Thomas Parker, ſir Peter King, recorder of the city of London; ſir John Holles, lord William Powlet, lord Coningſby, Mr. Cowper, Mr. Thomſon, lieutenant-general Mordaunt, Mr. Compton, ſir David Dalrymple.—Dr. Sacheveral's council were, ſir Simon Harcourt, Mr. Dodd, Mr. Phipps, Mr. Dee, and Mr. Henchman.

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ſubmit to the drudgery of original information, a juſt idea of an event, which forms ſo intereſting a portion of internal and party hiſtory in England, at the period under our conſideration.

From the general ſtrain of reaſoning, adopted by the managers in ſupport of the impeachment, it is obvious, that the Whigs conſidered the trial as ſubſervient to a revival and public diſcuſſion of thoſe political queſtions which divided them and the Tories; and probably expected an opportunity of making an appeal to the public, which might redound to their own popularity. The utmoſt ingenuity and labour were therefore employed in ſtating and explaining the principles of the Britiſh conſtitution, and applying them in defence of the revolution, and of the Hanoverian ſucceſſion; ſubjects, which ought to have been taken for granted by the proſecutors, had they intended nothing more, than the conviction and puniſhment of the offender. The doctor and his council eluded the ſnare prepared for them by the moſt explicit and unreſerved admiſſion of all the propoſitions, advanced by his accuſers, relative to the conſtitution, and the neceſſity and juſtice of the revolution; and confined their replies merely to diſproving the application of the doctor's ſermons to the articles charged in the impeachment. The ſubſtance of their defence was, that all the charges were deduced from a forced conſtruction; from words and ſentences picked from unconnected paſſages of his diſcourſes, and arbitrarily joined together. With reſpect to the firſt charge, namely, his maintaining the article of non-reſiſtance, it was argued, that he did not mean the executive part or branch of government, but the ſupreme legiſlative power; and the reſiſtance at the revolution could not be condemned on that general poſition:—again, that he had laid down a ſound doctrine, without indeed ſpecifying thoſe exceptions to it, which relate chiefly to caſes of emergency; and to vindicate the propriety of his doing ſo, they appealed to the authority of the ſcriptures; to the acts of parliament; the articles and homilies of the church; the opinions of the moſt pious proteſtant divines; and to the ſermons and other publi-

cations

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cations of ſome of the exiſting dignitaries, who were diſtinguiſhed for their orthodoxy and attachment to the conſtitution [27]. To the ſecond charge, namely, that the toleration granted by law is unwarrantable, it was anſwered, that the word *toleration* was not found in the ſtatute book; that the doctor entirely approved of the exemption granted by law to the diſſenters, and that, when he ſpoke in diſparagement of toleration, he meant ſomething beyond this, and therefore had not calumniated the law. To the third, namely, that the church was in danger, he did not retract the propoſition, but attempted to prove it, from the abounding of immorality and blaſphemy, and from recent publications of an heretical tendency. With reſpect to the fourth, namely, that her majeſty's adminiſtration tended to deſtroy the conſtitution, he denied, that by *falſe brethren* and *chief men*, &c. he meant to libel her majeſty's miniſters; and he inſiſted that all the expreſſions, cited to ſupport this charge, ought, in fair conſtruction, and agreeably to the authority of ſcripture, to be applied, as he intended, to perſons of rank and influence in general, of which deſcription, too many, in every age, had been enemies to religion and the church. He concluded his defence with a ſolemn appeal to the Searcher of hearts, that he never had any intention to calumniate the memory of king William, or to cenſure the Revolution; or to foment party diſtinctions, and defame her majeſty's adminiſtration; which declaration, being ſo contradictory to his notorious principles and conduct, gave great offence to many ſerious perſons, who did not enter into the merits of the cauſe, either in a religious or political view [28]. The doctor was found guilty by a majority of ſeventeen voices, and an arreſt of judgment, which was moved by his council, being over-ruled, he was enjoined not to preach during the term of three years [29]. 22d March.

[27] In this corner of his defence, the doctor was moſt ſucceſsful: the doctrine of non-reſiſtance had the ſanction of many eminent names; and, among theſe, Dr. Burnet. See Trial, p. 742. This ſhews us how dangerous it is to introduce political ſubjects into the pulpit.

[28] Sacheverel's Trial, p. 787. Hiſtorical Account, p. 358.

[29] Trial, p. 831.

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This ſlight and harmleſs puniſhment, after the curioſity and the expectation of the public had been wound up to the higheſt pitch by the ſolemnity and prolongation of the trial, was, more than a ſimple acquittal, a ſource of triumph to Sacheveral, and of diſappointment and reproach to his proſecutors. For allowing the judges full credit for juſtice and integrity in every branch of their proceedings, although the doctor was found guilty, yet how trivial muſt have been his offence, and how culpable that perſonal animoſity, which alone could induce his accuſers to drag him before the higheſt tribunal of the nation, as if it had been thereby intended to prepoſſeſs the public with the idea of ſingular criminality? He now reaped all the fame and honour without having endured any of the hardſhips of perſecution for righteouſneſs ſake. The miniſters, by making themſelves parties in this cauſe, confirmed the truth of the ſuſpicion, which had long run againſt them, of being enemies to the church; and hence it was concluded, that her intereſt could never be ſecure, till they yielded the reins of government into the hands of thoſe, who, by ſtanding forth in defence of her champion, merited the entire confidence of all her friends [30].

Many circumſtances had occurred during the dependence of his trial, which not only announced the declining popularity of the miniſters, but exhibited ſuch a ſpirit of fanaticiſm and diſorder, as defied the control of authority, and prognoſticated the moſt violent commotions, if not immediately appeaſed by the preferment of thoſe perſons, who had baſely contributed to its fermentation. A mob daily attended the doctor as he paſſed in his coach to Weſtminſter-hall, and conducted him back to his lodgings with loud ſhouts of applauſe, and prayers for his deliverance. Perſons of diſtinction, walking in the ſtreets, and members of parliament in their way to the houſe, were conſtrained, by the menaces of a furious rabble, to do obeiſance to their idol; and the ſovereign herſelf only eſcaped being

[30] White Staff.

inſulted,

inſulted, from their believing that ſhe was partial to his intereſt [31]. Nor was this homage always extorted from perſons of high rank, for ſome of them voluntarily mingled with the applauding crowd in the ſtreets, or many of them ſaluted the doctor with profound reſpect from balconies and windows. Many valuable preſents were ſent him by his more wealthy admirers. Several ladies of the firſt faſhion attended the trial; and, from the keenneſs with which they entered into the cauſe, were ſometimes betrayed into geſtures and expreſſions diſreſpectful to the court [32]. While this memorable cauſe depended, every little aſſembly was converted into a political club, and all rational and facetious converſation was ſupplanted by the vexatious intruſion of a queſtion, which not only divided the opinions, but agitated the paſſions, of every perſon who took a ſhare in it [33].

Under ſuch eminent patronage and example, we are leſs ſurpriſed at the licentiouſneſs and riot, into which a deluded multitude was precipitated. On the ſecond day of the trial, the crowd which had attended the doctor, fluſhed with the recent experience of their own terrific power, aſſembled under the ſhade of night, broke into many of the diſſenting meeting houſes in different parts of the city, and conſigned their furniture to the flames. Some of the moſt reſpectable non-conformiſt clergymen, and the biſhop of Saliſbury, hated on account of his zeal for toleration, were denounced to vengeance, but fortunately the arrival of the royal guards prevented the perpetration of theſe horrid purpoſes, as well as the deſtruction of the bank, which was likewiſe intended [34]. It was ſtrongly ſuſpected, that their outrages were not committed without the connivance, or direct

[31] Impartial View, p. 159. 191. As the queen was going to Weſtminſter, the people gathered about her ſedan, and cried out, "God "bleſs your majeſty and the church, we hope "your majeſty is for Dr. Sacheveral." Annals of Anne, p. 265.

[32] Cunningham, vol. ii. p. 292. Annals of Anne, p. 265. The doctor is ſaid to have been diſtinguiſhed for the comelineſs of his perſon. Prints of him were expoſed in all the ſhops, and had a rapid ſale.

[33] Annals of Anne, p. 225. Tatler, N° 157.

[34] Addreſs of the Commons to the Queen, 2d March. Cunningham, vol. ii. p. 293, 4.

co-ope-

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co-operation of perſons of better rank, who joined the mob in diſguiſe, or, in a way more ſafe for themſelves, but not leſs effectual, ſtimulated their fury by ſupplying them with money and ſpirituous liquors [35]. Some of the anti-miniſterial members of more reſpectable character, contributed not a little upon this occaſion to increaſe the public conſternation, by ſpreading unfounded rumours of ſimilar riots and diſorders having happened in other parts of the country; nor were any of them ever heard to expreſs that concern and indignation, which, on ſuch an occaſion, ought to have ſuperſeded all conſiderations of party intereſt [36].

In the mean while, the doctor ſeemed to glory in all that he had done, and in all that happened. He received the applauſe of the multitude with an air of haughtineſs and ſelf-ſufficiency, which, as they ſeldom aſſociate with innocence and merit, always increaſe the ſuſpicion, and the turpitude of guilt. He ſcowled upon his accuſers, during the trial, with an eye of diſdain, and betrayed ſuch petulance and overweening conceit in conſulting with his friends, as revealed the emptineſs of the man, and provoked a diſguſt which they themſelves could not conceal [37]. After his ſentence, he was conducted in triumph to the city, and received the congratulations of thouſands, as if he had reſcued the nation from deſtruction. In the evening, the windows were illuminated, and bonfires kindled in every ſtreet, ſurrounded by the riotous rabble, drinking his health, and obliging all who paſſed to pledge them [38].

How little does popularity, earned in the field of political ſtrife, appear the criterion of worth, or the object of deſire, when we have

[35] Annals of Anne, p. 267.

[36] Idem.

[37] Cunningham, vol. ii. p. 290. He preſumed to dictate in every company, and delivered his opinion on public affairs, as if he had been the oracle of political wiſdom. To indicate his contempt for his ſentence, which only reſtrained him from preaching, he often read prayers in the congregations of his tory brethren. Cunningham, vol. ii. p. 300. Dr. Sacheveral was held in great contempt by the tory miniſters, notwithſtanding the ſervices he had done them. "He hates the new miniſters mortally, and they hate him, and pretend to deſpiſe him too." Swift's Journal.

[38] Annals of Anne, p. 331.

ſeen,

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ſeen, with what profuſion it was laviſhed upon the fanatical, aſſuming, and deſpicable Dr. Sacheverel!

This celebrated trial ſo entirely occupied both houſes during the ſeſſion 1709—10, that little time was left for the proſecution of any other buſineſs.

The queen, at the opening of the parliament, by imputing the failure of peace to the inſincerity of the French king, gave her ſanction to the only apology that could be made for her miniſters, who had diſappointed the general deſire of the nation. Their prudence was praiſed on account of their not having been ſeduced into ſlackneſs and delay in making preparations for the campaign, which had redounded to the glory of the allies, as much as any that had preceded it. Supplies, as uſual, were ſolicited for the continuance of the war. 15th Nov.

Both houſes expreſſed their ſatisfaction with her majeſty's ſpeech, and their congratulations upon the ſucceſs of her arms. In the courſe of this ſeſſion, the duke of Marlborough received ſingular teſtimonies of the eſteem and confidence of the commons. On the firſt day of the ſeſſion, they unanimouſly adopted the reſolution of declaring their deep ſenſe of the honour and advantage which England and the confederates derived from his eminent ſervices; and, upon information that the negotiations for peace were to be renewed, both houſes voted an addreſs to her majeſty, repreſenting the importance of ſending him immediately to Holland, to act in the character of her plenipotentiary. As the queen was ſecretly alienated from her favourite general, theſe reſolutions were intended by his friends to frighten her from yielding to thoſe domeſtic intrigues which were now carrying on to bring her to an open rupture with the preſent miniſters. 18th Feb.

The influence of the clergy upon popular opinion appeared ſo conſpicuous during Dr. Sacheveral's trial, that the miniſters found it expedient to announce their intentions of patroniſing and rewarding ſuch of the order, as exerted their talents in the propagation and defence

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defence of ſound political principles. The meritorious ſervices of Mr. Benjamin Hoadley were acknowledged by a vote of thanks from the commons, and an addreſs to the queen, recommending him for preferment [39]. Several publications in defence of tory principles were condemned by that houſe, and conſigned to the flames, together with Dr. Sacheveral's ſermons [40].

14th Dec.

27th March.

The conſciouſneſs of their ſtaggering ſituation rendered the miniſters more forward in adopting meaſures for relieving the diſtreſſes of the poor, occaſioned by the preſent ſcarcity, and bills were brought in and quickly paſſed for prohibiting the exportation of corn, and regulating the aſſize of bread. The commons cheerfully granted every demand for the public ſervice, and ſupplies were voted to the extent of ſix millions, one hundred eighty-four thouſand, four hundred and ſixty thouſand pounds.

November, December, paſſim.

This ſeſſion is particularly entitled to the grateful remembrance of literary men, for the encouragement given to them, by veſting authors with an excluſive temporary right, to publiſh and ſell their works [41]. From a partiality to their own intereſt, from which the moſt enlarged underſtanding is not exempted, ſome of them, notwithſtanding the advantage derived from this act, may ſtill complain that, in conſequence of the advanced price of every neceſſary, an increaſing indifference about intellectual improvement, and unpropitious times, their profits are extremely limited and precarious, and an inadequate recompence for their induſtry and time [42]. On the 5th April, her majeſty concluded this ſeſſion with a ſpeech, expreſſing her entire approbation of its proceedings; a language, which, as it ſoon appeared, ill correſponded with her inward thoughts.

12th Dec.

[39] The publications of Mr. Hoadley, which attracted the approbation of the commons, were, his Conſiderations, occaſioned by the Biſhop of Exeter's Sermon, preached before her Majeſty, March 8, 1708, and a Reply to the biſhop's anſwer.

[40] Among theſe, was the celebrated decree of the univerſity of Oxford, paſſed in their convocation, 21ſt July 1683, which aſſerted the indefeaſible hereditary right of princes, and the doctrine of non-reſiſtance.

[41] By this act, authors were to have the ſole right of printing their own books for the term of fourteen years.

[42] A bill paſſed in the houſe of commons for ſecuring the freedom of parliaments, by limiting the number of officers in that houſe; but it was unanimouſly rejected by the lords.

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Negotiations for Peace renewed.—Conferences at Gertruedenberg.—Campaign 1710.—The Fort of Mortaign taken by the Allies.—Motions of the Duke of Marlborough and Prince Eugene.—Siege of Douay.—Motions of Villars.—Bethune, St. Venant, and Aire, taken by the Allies—A Convoy belonging to them taken on the Lys.—Campaign on the Upper Rhine—In Italy.—Inactivity of the Duke of Savoy.—The Count Thaun attempts to penetrate into Dauphiny and Provence.—Campaign in Spain.—Early Succeſs of King Philip.—Victory gained by King Charles at Almanza—At Saragoſſa.—King Philip flies to Madrid, which he ſoon abandons.—King Charles comes there.—Diſaffection of the Inhabitants to him—Their Loyalty to King Philip.—Exertions made for him.—King Charles goes to Toledo—Soon evacuates it—And marches to Arragon.—The French and Spaniſh Army reinforced by the Duke of Vendoſme.—General Stanhope defeated at Briheuga.—Battle of Villa Vicioſa.—Conſequences.—Succeſs of the Marquis de Bais in Portugal.—Naval Operations.

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THE reception of monſieur Pettekum at Paris, as we have already ſeen, not having been ſuch as was expected, the deputies were determined to carry on the war with the greateſt vigour. The French king, however, ſtill continued through the ſame agent to make offers, which approached nearer and nearer to the demands of the allies; he at length agreed to all the preliminaries, except the thirty-ſeventh article[1], he ſignified his willingneſs to go farther than he had done in the conferences at the Hague, to remove every difficulty on that point, and requeſted the States to fix a place for his plenipotentiaries to meet with theirs, and to renew the conferences[2]. Endeavours were uſed by the Engliſh ambaſſadors to prevent the States from complying with his deſire, till he ſhould conſent to the thirty-ſeventh as explicitly as he had done to all the reſt

[1] Letter from Lord Townſhend to Mr. Boyle, 21ſt February 1710. MSS.

[2] Paper ſent by Torcy to Pettekum, 27th November 1709. Scheme of a peace ſent from the court of France to Holland, February 1710.

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of the preliminary articles; but the extreme difficulty of raiſing the ſupplies in Holland, and the evidence which Lewis had given of his ſincerity, by withdrawing his troops from Spain, gave ſuch advantage to the party which was clamorous for peace, as convinced the penſionary, that reſiſtance to another experiment in the way of negotiation muſt have proved injurious to the reputation of the Engliſh miniſters, and the common intereſt of the alliance. The Engliſh ambaſſadors were themſelves ſatisfied, that yielding ſo far to the importunity of Lewis was both prudent and neceſſary [3]. After ſome altercation about the choice of the place for the conferences, the marſhal d'Huxelles and the abbe Polignac were appointed plenipotentiaries by the French king, and arrived at Gertruedenberg on the 19th March, where they were received by de Buys and Vender Duſſen, who were empowered to treat on the part of the States [4].

The conferences were opened the next day, and were ſpun out till the 13th of July by frequent interruptions, the deputies having, upon different occaſions, diſcovered an inclination to put an end to them, and the French miniſters, agreeably to the freſh inſtructions which they received from Paris, inſiſting upon their being continued, and ſtill advancing in their conceſſions [5].

It would be tedious to enter into a minute diſcuſſion of the propoſals, referring principally to the thirty-ſeventh article of the preliminary treaty, which were the ſubject of many ſucceſſive conferences. The profeſſed object of the French king was to perſuade the allies to ſtipulate a certain beneficial proviſion for king Philip, to in-

[3] Letter from Lord Townſhend to Mr. H. Walpole. Hague, 31ſt January 1710. MSS.

[4] Tindal, vol. viii. p. 379. Gertruedenberg is a fortified town in the United Netherlands, in the principality of Holland, twelve miles S. E. of Dort, and ten miles N. of Breda. The appointment of this ſequeſtered place for the conferences was deemed an untoward omen by the French. In the preceding year, the people at the Hague began to be impreſſed with a ſenſe of the advantageous terms offered by the French king, and had ſometimes, in a rude way, expreſſed their deſire of accepting them. By carrying on the conferences here, the agents of Lewis were debarred from the opportunity of making their propoſals known to the people, to whom the plenipotentiaries would juſt communicate ſuch repreſentations as beſt ſuited their own private views. Quincy, tom. vi. p. 314. 355.

[5] Torcy, vol. ii. p. 18.

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duce him to acquieſce in the reſignation of the Spaniſh monarchy. The kingdoms of Arragon, of Naples and Sicily, of Sardinia, with the ſea-ports in Tuſcany, were all ſucceſſively ſuggeſted by the plenipotentiaries for this end; they at length reſtricted his demands to Sicily and Sardinia [6]; and the deputies ſeemed willing to agree, upon condition of his giving ſecurity for the ſurrender of Spain and the Weſt Indies, to king Charles, within the ſpace of two months. The nature or mode of this ſecurity remained for ſome time the ſole object of diſpute [7]. Lewis had already offered to put four of his towns in Flanders into the hands of the allies, as a pledge not to concern himſelf, either directly or indirectly, with the affairs of Spain; he had withdrawn his troops from thence, and promiſed to forbid his ſubjects to engage themſelves in the ſervice of the catholic king [8]; he agreed, if Philip perſevered in maintaining that monarchy, that he ſhould forfeit all claim to the intended indemnification; and, to all theſe proofs of his ſincerity, he now added the offer of a ſum of money [9], to aſſiſt the allies in carrying on the war againſt his grandſon. After having made objections to the nature of the ſecurity propoſed by Lewis for the payment of this ſum, the deputies rejected it altogether as inſidious, and as a new evidence of the inſincerity of Lewis [10].

After theſe conferences had been carried on for ſeveral days, ſolely between the French plenipotentiaries and the Dutch deputies, ſome of the miniſters of the allies at the Hague expreſſed a jealouſy, leſt the intereſts of their conſtituents ſhould be overlooked, and threatened to inſiſt upon their right of being preſent, while ſubjects, in which they had ſo near a concern, were under diſcuſſion [11]. To

[6] Letters from the Duke of Marlborough and Lord Townſhend to Mr. Boyle, p. 12. 25. March 11th. 29th; April 6th; 9th, 13th May. Letter from Mr. Boyle to Lord Townſhend, 7th March. MSS. Reſolutions of their High Mightineſſes, 27th July 1710.

[7] Torcy, vol. ii. p. 71.

[8] Scheme of Peace.

[9] Torcy was inſtructed to offer the allies five hundred thouſand livres (£.20,833:6:8) a month; and if this did not ſatisfy them, to advance to a million. Torcy, vol. ii. p. 74.

[10] Id.

[11] Letter from Lord Townſhend to Mr. Boyle. Hague, 25th Feb. 1710. MSS.

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divert their interference, great addreſs was uſed by the deputies and lord Townſhend, from an apprehenſion that the French plenipotentiaries might thereby be furniſhed with an opportunity of diſcovering and fomenting jealouſies among the confederate powers. In order to reconcile them to this reſtraint, the miniſters of the emperor, the king of Pruſſia, and the duke of Savoy, were previouſly conſulted on every point by the deputies; and the ſubjects and progreſs of the treaty were regularly communicated to them. In this ſituation, the negotiators found it neceſſary to throw out hints of certain claims in behalf of their allies, which had not been ſpecified in the preliminary articles, and even to expreſs themſelves with greater reſerve and uncertainty concerning ſome of thoſe conditions which they had already approved of [12]. The French miniſters, thinking themſelves juſtified in adopting the ſame caution, introduced their conceſſions, under the annexed condition of obtaining full ſecurity againſt any ulterior demands from the reſt of the allies, and for the conſummation of the peace, after the term fixed for the expiration of the truce [13]. The deputies now complained of this conduct as amounting to a full demonſtration of the inſincerity of the French king in every part of the tranſaction. At the laſt conference, on the 13th July, they ſtated their ultimatum, namely, that the French king, alone and unaſſiſted, ſhould compel his grandſon to deliver up the Spaniſh monarchy into the hands of king Charles [14]; and intimated to the French plenipotentiaries, that

[12] Torcy, vol. ii. p. 74, &c. Lord Townſhend, in a letter to Mr. Boyle, 7th March 1710, gives this reaſon for not going to the conferences, that the other miniſters of the allies would have inſiſted upon going alſo, which would have rendered it a general congreſs; the very thing the French wanted.

[13] Id. vol. ii. p. 68.

[14] "It is the will of the allies, that the "French king ſhall undertake either to per- "ſuade his grandſon, or to compel him ſin- "gly, and with his own forces, to renounce "the Spaniſh monarchy. Neither money, "nor the junction of the French troops, is the "thing that ſuits them; the execution of "the treaty is what they require." Torcy, vol. ii. p. 83. At the ſame time, they inſinuated, "that they might, in the way of "favour, permit their troops in Portugal and "Catolonia to co-operate with thoſe of "France for facilitating the conqueſts of "Spain and the Indies; but even this aſſiſt- "ance was to be limited to the ſpace of two "months; at the end of which time, if the "buſineſs was not accompliſhed, the truce "was to terminate, and they were again to "proſecute hoſtilities againſt France." Id. Quincy, tom. vi. p. 359.

they

they ſhould have permiſſion to continue fifteen days longer at Gertruedenberg till they received a final anſwer from their maſter [15]. When the French king heard of this, he loſt no time in ſignifying to the penſionary, that there was no occaſion for allowing him any time to deliberate upon this ſubject; that he had already conſented to every condition in his power for promoting a general peace, but could not engage to execute what he knew it was impoſſible for him to perform; and on the 24th July, the marſhal d'Huxelles and the abbe Polignac ſet out from Gertruedenberg on their return to Paris [16].

After the breaking up of the conferences, the French plenipotentiaries addreſſed a letter to the deputies of the States, imputing the failure of their attempts for peace entirely to the hard and impoſſible conditions inſiſted upon by the allies. In anſwer to this, the States-general publiſhed extracts of their reſolutions, declaring their ſincere deſire for peace, and imputing their diſappointment to the inſincerity of the French king, manifeſted by his evading the capital point for which the negotiations had been opened.

20th July.

27th.

By contemporary authors, this important ſubject has been treated merely as a party diſpute; and, according to their ſeveral prejudices and attachments, the French king or the allies have been ſeverally condemned for the continuance of the war. When queſtions of this nature and of ſuch magnitude occur, it is the duty of later hiſtorians to be more than commonly anxious to diveſt themſelves of all local prepoſſeſſions, and to inveſtigate evidence with conſcientious application, in order truly to appreciate the merits and demerits of the parties at iſſue. Hiſtory, when thus conducted, becomes the inſtrument of important moral utility, by reminding all thoſe who preſide in the affairs of nations, that they are amenable to a future tribunal;

[15] Torcy, vol. ii. p. 83. 85. Letters of Lord Townſhend to Mr. Boyle, July.

[16] Before the conferences were concluded, the king of Spain ſignified that he would never conſent to yield the crown of Spain for any compenſation; upon which the French king inſtructed his plenipotentiaries not to inſiſt farther upon an equivalent, but to renew their offer of ſubſidies for aſſiſting the allies in the Spaniſh war. Torcy, vol. ii. p. 80.

and

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and that neither concealment nor misrepresentation of facts, nor the partiality and adulation of contemporaries, can screen political depravity from the condemnation and abhorrence of posterity. Impressed with the strongest desire to adhere to every obligation of truth and candour, I suggest the following observations relative to the important question now under review.

1. There appears no solid ground for doubting of the French king's sincere and ardent desire for peace, when the negotiations were first opened at the Hague. The deplorable condition of his kingdom annihilated every prospect of extending his dominions, and gratifying that vain glory which had been the ruling passion of his life; and exposed him to new mortifications, and his subjects to irretrievable ruin from the prolongation of the war. An empty treasury reduced him, not only to the necessity of withdrawing pensions and gratuitous bounties, but of retrenching and abolishing the salaries of the most important offices in every department; and even of dissolving that military force, which alone could secure him against the nearer approach of his victorious and incensed enemies.

There was not any description of men, nor a single individual, who had any thing to gain, nay, who was not apprehensive of losing the meager reversion of all that was dear and valuable by the prosecution of the war. The generals, the courtiers, the heir apparent to the crown, all concurred in representing to the sovereign the unparalleled distress of the country, and in supplicating him as their common father to sheath the sword, and make peace upon any terms [17].

The private conversation and behaviour of Lewis evinced his determined purpose of complying with their desire, and the most anxious solicitude for obtaining the consent of the allies to those terms which he had authorized his agents to propose. To his confidential friends, he discovered a deep sense of the abasement into

[17] Cunningham, vol. ii. p. 225.

which

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which he had ſunk, in expreſſions, which form a perfect contraſt to the haughty ſentiments and domineering ſpirit ſo offenſive to all ſurrounding States in the preceding years of his reign. His private inſtructions to his ambaſſadors warranted conceſſions, which probably exceeded the expectations of his enemies, and faithfully correſponded with the language adopted by the former in the public conferences [18]. The notification of delay and obſtructions, inſtead of producing any ſymptoms of ſatisfaction, which muſt have been the caſe if he had been acting a part, and in his heart averſe to peace, only contributed to increaſe the depreſſion of his ſpirits, and to promote the enlargement of his conceſſions. The final rejection of his offers filled him with all the anguiſh which flows from diſappointment, aggravated by the calumnious imputation of hypocriſy, while he was conſcious of making profeſſions which flowed from the dictates of his heart [19].

2. Upon the firſt motion of the French king for beginning the treaty, and during its continuance, every artifice was employed in England and Holland to taint the public mind with a ſuſpicion of his inſincerity, and of his intention to looſen and diſconcert the alliance. All the examples of the duplicity and faithleſſneſs of Lewis, in the pride of his former proſperity, were now brought under recollection. The wretched condition to which France was reduced; the bankruptcy of her treaſury; the deſolation of her provinces, and the miſeries of her people, were held forth in the ſtrongeſt colours, not to move commiſeration, or cheriſh thoſe relentings which a generous people naturally feel for a vanquiſhed enemy, but to ſtimulate that ignoble reſentment which rejoices in the unprofitable humiliation and ſufferings of rivals [20].

3. From the conduct of the deputies and plenipotentiaries of the combined powers, in every conference, while the negotiations were

[18] Torcy, Duclos, Meſnager, St. Simon, paſſim.

[19] Meſnager, p. 23. 25. Torcy, vol. i. p. 386.

[20] Id. p. 184.

on

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on foot, there is the ſtrongeſt reaſon for concluding, that they had formed a preconcerted plan to impede its progreſs, and to render it finally abortive. Their manner and ſtyle were often rude, captious, and overbearing. Sarcaſtical reflections were repeatedly thrown out againſt the French king, and ſometimes an intemperance of language adopted by them, as if it had been with the intention of wounding the pride of a monarch who had long arrogated a precedency in the liſt of royal names, and of provoking his miniſters to break up the conferences with paſſion and precipitancy[21]. Falſe and ſcandalous libels were publiſhed to render them contemptible and odious in the eyes of the people; their perſons were inſulted; their letters were opened in violation of public faith; they were treated like ſtate priſoners, obliged to keep within the reſidence aſſigned them, and debarred from that ſocial intercourſe, which might have contributed not only to their relaxation and amuſement, but to uſeful intelligence relative to the buſineſs in which they were employed[22].

The deputies affected a reſerve and ambiguity in the diſcuſſion of every point: they ſeemed eager to catch at every incident for raiſing difficulties, perplexing buſineſs, and exhauſting the patience of their antagoniſts. For this purpoſe, they were continually varying the arrangement, and ſhifting the grounds of the negotiation; ſometimes introducing topics in a deſultory way, on which the French plenipotentiaries were not prepared to reply, then leaving them unfiniſhed by making a ſudden tranſition to others, and blending articles which could only be diſcuſſed ſeparately, and in ſucceſſion. They not only introduced demands inconſiſtent with the preliminaries ſpecified by Pettekum upon the authority of the grand penſionary; but they were continually enlarging their demands; and when theſe were admitted contrary to their expectations, they reſorted to indefinite

[21] The marquis de Torey, in the courſe of theſe conferences, was often obſerved to ſhed tears, he had the king's honour ſo much at heart. Cunningham, vol. ii. p. 241.

[22] Letter from the French Plenipotentiaries to the Grand Penſionary. Gertruedenberg, 20th July 1710. Duclos, vol. i. p. 17. Torcy, vol. ii. p. 92. Meſnager, p. 34.

conditions

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conditions to which it was impoſſible the French king could conſent, except in the full confidence of candour and generoſity, whereof no traits appeared in the characters of thoſe who were to explain and enforce them. The deputies were not even aſhamed to confeſs that they had uſed diſſimulation, and were pleaſed with its ſucceſs in miſleading de Torcy and Rouillé [23]. When at length every eſſential demand was yielded by the French king, they ſtill exacted ſuch ſecurities for the performance of his engagements, as he could not grant without violating every obligation of honour and affection; namely, that he ſhould alone, and unaſſiſted, perform the unnatural deed of depoſing his own grandſon within the ſpace of two months.

4. The evidence of the French king's ſincerity in making offers of peace at this time, may be reſted entirely upon the value and extent of the conceſſions to which he agreed. Though Lewis never had, either during the dependence or after the cloſe of the negotiations, diſcovered any ſymptoms of his anxious deſire for their ſucceſs; and though, from the delay and exorbitant demands of the deputies, there had been no ground for inferring their predetermined reſolution to entangle the buſineſs, and traverſe its object, yet, if he conſented to ſuch preliminaries as were deciſively beneficial to the allies, and fully adequate to the purpoſes for which they had entered into the war, with what ſhadow of argument, can his ſincerity be queſtioned, or the failure of peace imputed to him? Let any perſon, after deliberately inveſtigating the reſpective intereſts of the allied powers, eſtimate the full extent of the advantages which would have accrued to them, ſeverally and jointly, from ſuch a peace as was now offered; and let him ſay, whether the rejection of it can be juſtified upon any ſound, moral, or political principle? But ſhould it

[23] Torcy, vol. i. p. 189, paſſim. Rouillé, ſurpriſed at the inſincerity and haughtineſs of the negotiators, as well as the unexpected ſeverity of the conditions, ſaid, "that he "looked upon the reſtitution of Liſle as a "point already ſettled." "It is true," anſwered they, "that you always ſuppoſed it, "but we never had any ſuch thought; you "miſtook our intentions. We were willing "to let you believe what you pleaſed." Torcy, vol. i. p. 205.

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be contended, that the propoſitions made by Lewis were inadequate to the expectations of the allies, yet, from the anxiety of his miniſters for continuing the conferences, and their ſtrong declarations of the earneſt deſire of their maſter to come to an accommodation upon thoſe very articles to which he had partially objected, is there not reaſon to preſume, that their demands were likely to have been gratified in every point, excluſive of that which inſiſted upon making Lewis the inſtrument of compelling the reſignation of his grandſon[24]? If all the reſt of the conditions accepted by the French king had been fulfilled, would it have been poſſible for Philip, ſingle and unaſſiſted, to have ſupported his title againſt the united and concentrated force of ſo many potent adverſaries?

As the articles agreed to by Lewis were highly favourable to the Dutch, ſo they were, at an early ſtage of the treaty, generally acceptable to them[25]. Heinſius, who well underſtood the true intereſt of his country, and was not deſtitute of patriotic zeal, was ſo fully convinced of the advantageous terms propoſed by France, that, in the courſe of private converſation with the French plenipotentiaries, he could not reſtrain himſelf from expreſſing a ſatisfaction, which he durſt not avow in the preſence of the Engliſh miniſters[26]. But Heinſius, though he had acquired an uncontrolled aſcendency in the councils of the United Provinces, was not the maſter of his own reſolutions, even when he was conſcious of their being founded in wiſdom and equity. He had been the confident and admirer of king William; and, during the life of that prince, implicitly adopted his opinions and promoted his ſchemes. As he had entered, with ardour, into the grand alliance, which was the laſt legacy of his maſter; ſo, after his death, he devoted all his influence to the ſervice of the duke

[24] Dr. Hare, who was chaplain to the duke of Marlborough, and the moſt zealous defender of every meaſure in which he was concerned, admits, that Torcy waited upon the penſionary before his departure from the Hague, and informed him that he was empowered to recede from all the other points he had inſiſted upon, excepting the 37th article. Dr. Hare's Third Letter to a Tory Member.

[25] Torcy, vol. i. p. 187. 195. 285. 290. Abrégé de l'Hiſtoire de Hollande.

[26] Torcy, paſſim.

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of Marlborough who became its head and guardian. Prince Eugene had conceived an early pique at Lewis, which laſted during the whole of his life. Trained in a camp, he was fond of war to which his habits were adapted, and upon which his reputation and conſequence depended. The influence of theſe prejudices, together with a juſt deference for the ſuperior talents of the duke of Marlborough, made him implicitly ſubmiſſive to his views, and rendered him at this time a ſtrenuous oppoſer of the peace [27]. By his intereſt with the emperor, and with his nephew the duke of Savoy, their agents were alſo brought upon the ſtage, and exhibited an unanimity in the final deciſion of this queſtion, but little conſiſtent with thoſe ſecret jealouſies and ſelfiſh deſigns, which alienated their hearts from each other.

From theſe facts we are authorized to conclude, that the duke of Marlborough was the principal arbiter of the negotiations carried on at the Hague and Gertruedenberg; and that the other oſtenſible agents were not more ſignificant than puppets, which echoed his voice and moved by his impulſe. Upon the concluſion of the war, he had not the reverſionary conſolation of maintaining that ſway in the cabinet, which had, ever ſince the commencement of the preſent reign, been the primary ſpring of all public meaſures; nor even of participating in the reſtricted emoluments of a peace eſtabliſhment. The junto, with which he was connected, had been long loſing favour at court; and it was well underſtood, that nothing but the importance of the duke's ſervices in the field ſtill ſecured to them the poſſeſſion of all the miniſterial offices; and hence all their efforts were employed at home, in concert with him, to obſtruct and fruſtrate the negotiation for peace [28].

The

[27] Cunningham, vol. ii. p. 314. Prince Eugene was piqued at Lewis, becauſe he had refuſed him a troop of dragoons. Voltaire, vol. i. p. 337. Though he was not a forward ſpeaker, he harangued the States upon the ſincerity of the French king and the neceſſity of continuing the war. Cunningham, vol. ii. p. 313.

[28] *Appendix*, N° XXVII. There are ſpecious grounds for ſuſpecting that private reſentment

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The negotiations for peace did not ſuſpend the operations of the belligerent powers. The fort of Montaign, important for its ſituation at the confluence of the Scarpe and Schelde, was attacked by the direction of the earl of Albemarle, and the garriſon, conſiſting of not more than ſeventy men, made priſoners of war. It was recovered the next day by the French, but within three days retaken by the allies [29].

14th April.

17th. The duke of Marlborough and prince Eugene, having aſſembled the troops which wintered in Flanders and Brabant at Tournay, advanced with ſuch unexpected rapidity, that they ſurpriſed the French lines which covered Douay and the frontier towns, notwithſtanding theſe lines having been rendered ſtronger by additional fortifi-

ſentment, as well as ambition, rendered the duke of Marlborough more active in thwarting the peace. Conſidering the pre-eminence which he had obtained among the allies, he thought himſelf affronted, becauſe the French king did not apply to him, as the principal agent, upon his propoſing to enter into negotiations. In the preceding campaign, the duke made an offer, to the duke of Berwick, of his beſt ſervices for accompliſhing a peace. His offer was notified to the French court, but was interpreted as an evidence of the weak ſtate of the allied armies. The duke of Berwick obſerves, "that there was not the "leaſt appearance of duplicity in Marlbo-"rough's letter to him; and, that he was "convinced, that the rejection of Marlbo-"rough's offer proved the principal cauſe of "the averſion which he ſhewed ever after "to pacific meaſures." Berwick, vol. ii. p. 47, &c.

Meſnager ſays, that it was the general opinion of thoſe who adviſed the French king, that it was impoſſible to obtain a peace without application to the duke of Marlborough, *becauſe he had now got ſuch an aſcendant over the princes and ſtates of the confederacy;* but that the king obſtinately reſiſted this opinion; and when he had reſolved to treat with the States about the preliminaries, he ſaid, derifively, "*I muſt ſet on foot this impoſſible thing.*" Meſnager, p. 13, &c.

From the information which Lewis had received concerning the ſtate of parties in England, he believed, that Marlborough's intereſt in the cabinet was at an end, and that he could be of no uſe in forwarding the peace. Diſcovering his miſtake after the commencement of the treaty, he inſtructed de Torcy to offer the duke a premium for his good offices; (Torcy, vol. i. p. 299.) but offended pride will not always be appeaſed by lucre, though the heart be enthralled by covetouſneſs. To a perſon long inured to the homage attendant upon power, nothing can be more galling than the ſymptoms of its decline, or the withdrawing that notice and reſpect which he has been wont to receive; and, while his power yet ſurvives, its laſt efforts will be exerted in avenging itſelf upon thoſe who have inſulted it under the agonies of diſſolution. Thus, Marlborough was the more humbled and exaſperated by the neglect of Lewis, from the abaſement of which it reminded him; but, ſtaggering as he was in the favour of the court, he had ſtill power enough to be terrible to his enemies, and Lewis paid dear for the affront he had put upon him.

[29] Quincy, tom. vi. p. 317.

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cations, than they were when Villars had ſtopped the allied army there the preceding campaign [30].

The confederate army, being now augmented to one hundred and twenty-five thouſand by the junction of the Heſſians and Palatines, the generals determined to undertake the ſiege of Douay [31]. It was inveſted on the 23d April by forty battalions under the command of the prince of Anhault Deſſau and the prince of Naſſau Frieſland. From the ſtrength of its outworks, as well as the numbers of its defenders, amounting to eight thouſand men, the ſiege proved tedious and bloody. The French made ſeveral deſperate ſallies, in which they cut off great numbers of the beſiegers, and ſometimes deſtroyed their works [32]. At length the latter having made large breaches in the walls, and become maſters of two ravelins from which they were preparing to bombard the city [33], the garriſon was forced to capitulate both for the town and fort Scarpe. The confederates had two thouſand men killed, and above five thouſand wounded in the courſe of this ſiege [34].

7th, 27th, 30th May.

25th June.

The marſhal Villars had paſſed the Scarpe with the intention of raiſing the ſiege of Douay, and had advanced within cannon ſhot of the duke of Marlborough's camp, between Sens and the Scarpe oppoſite to Vitry; but finding that the duke's army was ſuperior to his own, and ſtrongly entrenched, he retired behind the Sanſette to cover Arras, which the confederate generals had deſtined for the next object of attack [35].

30th May.

After the ſurrender of Douay, the allies advanced into Artois, and ſucceſſively beſieged Bethune, St. Venant, and Aire. Bethune held out from the 15th July to 28th Auguſt [36]. St. Venant ſurrendered

[30] Lediard, vol. ii. p. 240. Kane, p. 85.

[31] A large city of the French Netherlands, in the principality of Flanders, ſituated on the river Scarpe, fifteen miles ſouth of Liſle.

[32] Quincy, tom. vi. p. 318. 340. St. Simon aſſerts that the allies loſt two thouſand men, 21ſt June, in one of theſe ſallies. St. Simon, tom. vi. p. 500.

[33] Quincy, tom. vi. 338.

[34] Preſton's Memoirs. Military Hiſtory of Marlborough, p. 498.

[35] Quincy, tom. vi. p. 332. 341. Kane, p. 86. Berwick, vol. ii. p. 86.

[36] Lediard, vol. ii. p. 261. Preſton's Memoirs.

17th

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17th September, the day after it was inveſted. Aire, being naturally defended by moraſſes, reſiſted for a month, and was reduced with conſiderable loſs [37].

The only enterpriſe of conſequence, in which the French ſucceeded, was the capture of a valuable convoy of military ſtores, belonging to the confederates on the Lys. The marquis de Ravignan,
18th Sept. with a large detachment from Villars' army, came by ſurpriſe upon the earl of Athlone, who eſcorted it with twelve hundred men. The ground, which the confederates occupied, being fortified on all ſides, excepting where the attack was made, they reſiſted for ſome time with great intrepidity, but were at length forced to ſurrender to ſuperior numbers, after above five hundred of them had fallen [38].

Another lethargic, unintereſting campaign elapſed on the Upper Rhine. The French army, commanded by marſhal Harcourt, was drained by the ſupplies ſent to the camp of Villars. That of the Germans, as uſual, was ill recruited, and wretchedly deficient in every neceſſary for the field. The ingenuity of the antagoniſt generals was entirely confined to the inoffenſive objects of ſtrengthening their entrenchments and guarding againſt ſurpriſe. If there was any advantage in this quarter, it belonged to the French, who paſſed the Rhine, and lived for ſeveral weeks at the expence of the Germans [39].

The campaign in Piedmont produced no events materially affecting the condition of the contending powers. The duke of Savoy diſcovered leſs activity in forming and preparing his troops than in
July. any former year of the war, ſo that the ſeaſon was far advanced

[37] Lediard, vol. ii. p. 266. 268. 271. The capture of Aire opened the paſſage of the allies to the Soame.

[38] Quincy, tom. vi. p. 374.

[39] Id. p. 392. The elector of Hanover, in oppoſition to the deſire of the queen, had reſigned the command of the German army. His declining to comply with her requeſt, at a time when his intereſt ſo much depended upon her favour, is ſufficient proof that he deſpaired of reaping any honour from ſuch a command; and the letters he writes in apology to the queen afford a ſtriking deſcription of the tardineſs, obſtinacy, and faithleſſneſs of the Germanic body. See his Letters 4th January, 6th February 1710. Hanoverian State Papers.

before

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before they could be put into motion. His affections, from the ill uſage of the emperor, had grown cold to the alliance; and he was well pleaſed to avail himſelf of the excuſe of bodily indiſpoſition for declining the command of the army, which was conferred upon count Thaun [40]. The count made ſeveral attempts to penetrate into Dauphiny and Provence; but the duke of Berwick, who had returned from the camp in Flanders, obſerved all his motions with a vigilant eye, met him at every paſs, and diſconcerted his projects [41]. Although, however, the Italian army failed in its principal deſign of entering into the French territory, it eſſentially contributed to the intereſt of the allies, by making a diverſion from the enemies force, which was deſtined to ſerve on the frontiers of Spain; and to this, the early ſucceſs of king Charles, in that quarter, ſeems to have been principally owing [42].

The campaign in Spain was rendered ſingularly intereſting by that fluctuation of the ſucceſs and misfortune which alternately elated and depreſſed both of the competitors.

Very effectual endeavours had been uſed in the winter, on the part of the allies, for keeping the magazines full, and ſupplying the army with proviſions. The recruits ſent from England were more entire and healthy when they took the field than they had been in any former ſeaſon [43]. King Philip, whoſe army was ſuperior, obtained ſome ſmall advantages at the beginning of the ſeaſon, by tak- May. June.

[40] As it has been obſerved, that the duke of Savoy had been offended at the conduct of the emperor, ſo it appears, that he now entertained the wiſh of coming to an accommodation with the court of France; and had found an opportunity of making a private intimation of this to the duke of Berwick. Letters from Mr. St. John to Lord Townſhend, 1710. MSS. Berwick, vol. ii. p. 103.

[41] Berwick, vol. ii. p. 97. Barré, tom. x. p. 471.

[42] Tindal, vol. viii. p. 423.

[43] As for her majeſty's own troops, I ſhall obſerve to your lordſhip, that I attribute the good condition they are in, chiefly to their having been landed in a proper ſeaſon, and having had a winter in quarters, to accuſtom them to the climate; whereas, we have found, by the experience of all this war, that all the men which have been landed in the ſpring, or in the ſummer, and have immediately been put upon ſervice, have mouldered away to nothing by ſickneſs. Extract from a Letter of General Stanhope to Lord Sunderland. Camp at Portilla, 22d June 1710. MSS.

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ing a few poſts and magazines in Catalonia, and laying the country under contributions [44]. King Charles, being afterwards prevailed upon to put himſelf at the head of the allies; and their army being augmented by large reinforcements from Italy, advanced towards
27th July. the enemy, who retreated upon his approach. He overtook them near Almanara; and was perſuaded by general Stanhope to venture an engagement. The enemies cavalry, upon being attacked, ſoon gave way; and their infantry, retreating under ſhelter of the night, ſuſtained no conſiderable loſs; but ſeveral pieces of their cannon and moſt of their baggage fell into the hands of the allies [45], who, after this engagement, made great progreſs in Arragon. Philip retired with his army to Lerida; but proviſions failing him, he paſſed the Cinga, and directed his march towards Saragoſſa. The allied army followed; and their cavalry, coming up with his rear and attacking
25th Auguſt. him at Penalva, were repulſed, and ſuffered ſeverely [46]. But their loſs was more than retrieved by the allies at Saragoſſa, where the
20th. armies came to a pitched battle. Although the right wing of the Spaniards fought with admirable bravery, and repulſed the confederate cavalry, yet their left, compoſed of the new levies, gave way, which threw their whole army into confuſion, and obliged them to retreat. This victory coſt the allies two thouſand men; three thouſand of the Spaniſh army were killed, and five thouſand made priſoners [47], who, however, were releaſed by the governor of Lerida attacking and diſperſing the guard which was conducting them to Barcelona [48].

[44] Quincy, tom. vi. p. 483. Journal of the Campaign in Catalonia. MSS.

[45] Quincy, tom. vi. p. 419. *Appendix*, N° XXVIII.

[46] The accounts of this action are ſo perplexed and obſcure, and the iſſue of it ſo differently ſtated, that it is difficult to know, whether the allies, or the French, had the beſt pretenſions to victory. Compare Quincy, tom. vi. p. 421. Hiſtoire de Louis, tom. vi. p. 502. Hiſtory of Europe, 1710, p. 562. The truth ſeems to be, that, though a ſharp ſkirmiſh took place, and terminated in favour of the French, yet it produced no conſequential advantages. The French magnify their ſucceſs to balance their ſubſequent loſs at Saragoſſa: it even appears, that they had attempted to confound it with that event, by giving it the ſame date.

[47] *Appendix*, N° XXIX.

[48] Quincy, tom. vi. p. 423—7. Barré, tom. x. p. 572.

After

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1710.

After the defeat at Saragoſſa king Philip made all the haſte he could to Madrid, where he had the conſolation of receiving ſuch teſtimonies of attachment from the inhabitants, as were the leſs ſuſpicious, becauſe they were given at the ebb of his fortune. Not thinking it ſafe, however, to remain there upon the approach of a victorious enemy, he removed to Valladolid with his court and family [49]. 9th Sept.

After king Charles had taken meaſures for ſecuring his intereſt in Arragon, by changing the public officers, fortifying the principal poſts, and erecting magazines, he advanced with his whole army to Madrid [50]. September.

Different opinions had been propoſed in a council of the general officers, with reſpect to the moſt effectual ſteps for improving their late victory, ſome of them recommending to take poſſeſſion of the kingdom of Caſtile, where his rival had ſo many friends, and others thinking that the ſtability of his good fortune depended upon his returning to Catalonia, and ſending detachments to ſecure the paſſes in Navarre, through which reinforcements were advancing from France to ſtrengthen the army of Philip [51]. Unfortunately, as the event proved, the firſt of theſe counſels was preferred, and king Charles entered the metropolis of Spain a ſecond time; but inſtead of congratulations, he now experienced a mortifying demonſtration of the deep-rooted and invincible abhorrence of the Caſtilians to his perſon and government. A mournful diſguſt was painted upon every countenance: the people ran into their houſes and locked their doors, as if to avoid a ſpectacle of horror. The money, ſcattered in the ſtreets to bribe the oſtentation of loyalty, lay untouched and deſpiſed. Many of his ſoldiers were aſſaſſinated in the dark. A company of comedians, who had performed in honour of his arrival, 28th.

[49] Quincy, tom. vi. p. 428. Not only the grandees and officers of ſtate, but multitudes of the people followed their ſovereign. Many ladies of rank, who could not be provided with carriages, performed the journey on foot, that they might not incur the mortification of beholding his hated rival triumphant in the metropolis.

[50] Quincy, tom. vi. p. 427.

[51] Id. p. 430. Tindal, vol. viii. p. 436, 7. Carleton, p. 258.

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were ſeverely beaten by the mob, and their manager was put to death. The acclamation *Vive le Philipe* reſounded from every quarter, and interrupted the ſilence of the night [52]. Nor were theſe profeſſions of attachment circumſcribed within the walls of Madrid, and productive only of barren adulation and compliment. The misfortunes of their prince, inſtead of diſheartening his ſubjects, inflamed the ardour of their affections, and ſtimulated the vigour of their efforts. The grandees flocked from every province, loaded with money for the payment of his ſoldiers. The clergy inculcated fidelity to their fallen monarch, and ſet an example of it by the voluntary profer of liberal contributions. The province of Andaluſia alone replaced his cavalry, which had principally ſuffered in the late defeats. The Caſtilians of lower ſtation, who were unable to expreſs their loyalty by pecuniary donations, divided with the ſoldiers the victuals which they had provided for the ſuſtenance of their own families. Charles, after remaining only one night in the capital, where his life was in danger, moved to Toledo with the intention of reſiding there through the approaching winter [53]. But the ſame hoſtility, which he had experienced in the metropolis, broke out in every part of Caſtile; and, though the army of Philip had not been augmented by ſtrong reinforcements, muſt have rendered his quarters there untenable. All the proviſions of the country were either carried off, or concealed by the hoſtile artifices of the inhabitants. His army was mouldering away, being continually haraſſed by bodies

[52] Quincy, tom. vi. p. 432. Barré, tom. x. p. 573.

[53] Id. The enthuſiaſm of loyalty deſcended to the moſt abandoned of the human race. The courtezans diſperſed themſelves among the troops of the archduke; and, by their inſidious familiarities, deſtroyed more than had fallen in any ſingle battle. They boaſted of their patriotiſm in having refuſed their favours to the king's troops. Duclos, tom. i. p. 21.

The king owed much of his popularity to the alluring manners of the queen, who diſplayed great compaſſion for the miſeries of the people, and undaunted fortitude amidſt the greateſt dangers. Id. St. Simon, tom. iii. p. 247. An extraordinary example of the fidelity of one of her majeſty's valets deſerves to be recorded. When flying from Madrid, ſhe intruſted all her jewels, and one of immenſe value, called the Peregrine, to his care; and he delivered them ſafe at Paris. Id.

The archduke, ſays Duclos, never underſtood that it was impoſſible for him to reign till he entered the capital.

of

of the peaſants, led on, and aſſiſted by the French ſoldiers[54]. In theſe circumſtances, Charles found it neceſſary to evacuate Toledo with ſuch precipitancy, that he could not remove the ſtores depoſited in his magazines; and, after having deſtroyed them, purſued his march to Arragon, attended by a ſmall body of troops, while generals Staremberg and Stanhope were directed to follow with the whole of the forces[55].

The duke of Vendoſme, having arrived with conſiderable reinforcements from France, was now at the head of an army ſuperior to that of the allies; and to this circumſtance, together with the great popularity and expedition of that general, we may aſcribe the change of fortune which fixed the throne of Philip upon impregnable foundations[56]. While the confederates were retreating in ſeparate detachments through Caſtile to Arragon, the duke of Vendoſme, by marching night and day with the greateſt diſpatch, came unexpectedly upon the rear of the army, which was commanded by general Stanhope, at Briheuga. The latter, though far inferior in numbers, attempted to defend the place, in hope of general Staremberg's coming up to his relief; but ammunition failing he was forced to ſurrender. 9th Dec. Seven thouſand Britiſh ſoldiers were made priſoners, and ſeveral hundreds were killed[57].

Count Staremberg, hearing of the attack made upon Stanhope, marched back with his whole force to ſupport him; but he came too late, and met the French and Spaniards fluſhed with victory, under the heights of Villa Vicioſa, about two leagues from Briheuga[58]. Staremberg found an engagement unavoidable, though he had to enter upon it with manifeſt circumſtances of diſadvantage. His army was inferior in numbers, and drawn up in an open plain,

[54] Barré, tom. x. p. 573. Quincy, tom. vi. p. 433.

[55] Id. p. 442. Cunningham, vol. ii. p. 332.

[56] The duke of Vendoſme had great popularity. His arrival kindled an enthuſiaſm among the Spaniards. Multitudes flocked to his ſtandard. Money, proviſions, and every kind of ſupply were abundantly furniſhed. Voltaire, vol. i. p. 347.

[57] Quincy, tom. vi. p. 444. Cunningham, vol. ii. p. 333.

[58] Quincy, tom vi. p. 447.

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which afforded no protection. The French began the attack, and had the advantage for ſome time, by the impreſſion which they made on the right wing, and almoſt entirely routing the left of the allies; but being repulſed by the valour of the troops in the centre, both wings rallied, and prevailed every where againſt the enemy. Such is the account of this battle given by general Staremberg [59]. On the other hand, the French hiſtorians claim the victory; admitting, at the ſame time, every fact honourable for the general and his troops, whoſe bravery they praiſe as exceeding almoſt any thing that occurs in the annals of war [60].

After this battle, count Staremberg found his army ſo much reduced,
29th Dec. that he durſt not hazard a ſecond. He firſt retreated to Saragoſſa, but as he could not rely upon the fidelity of his troops, which were deſerting in whole regiments to the enemy, hanging upon his rear [61], he proceeded to Catalonia, and arrived at Barcelona, in the beginning of February. Balaguer and Girona ſurrendered to the arms of Philip, ſo that Charles was now confined within the narrow principality of Catalonia, open to the incurſions of the enemy on every ſide [62].

The tide of proſperity now began to flow, with wonderful rapidity, in favour of king Philip. All the provinces of Spain ſtrove to

[59] Staremberg's Letter to the King of Spain. Hiſtory of Europe, 1710, p. 617.

[60] Quincy, tom. vi. p. 449. Barré, who is by no means partial to the French, not only aſſigns them the victory, but a very conſiderable capture of cannon, tom. x. p. 575. The French appear to have been ſucceſsful for a conſiderable time after the engagement began; but the great bravery of Staremberg, in the centre, which is mentioned with admiration by his enemies, occaſioned a favourable turn for the allies, when night coming on, after the engagement had laſted above three hours, rendered the iſſue undecided. Compare Quincy, Hiſtoire de Louis, Hiſtory of Europe. Whatever the immediate, apparent ſucceſs of this engagement might be, the conſequence proved fatal to the allies, as the loſs of three or four thouſand men, added to the capture of the troops at Briheuga, rendered them incapable of facing the enemy again. Lord Townſhend in a Letter to Mr. St. John, Hague, 11th January 1711, ſays, "that the accounts, publiſhed by the French on this occaſion, were "ſcandalous and falſe."

[61] Quincy, tom. vi. p. 452.

[62] Tindal, vol. viii. p. 449. Girona is ſituated upon the river Ter, twenty-five miles north-eaſt of Barcelona, on the road from Rouſillon to Barcelona; Balaguer, on the river Segra, ſeventy miles north-weſt, on the road from Arragon to Barcelona. The former was inveſted in November, but did not ſurrender till 31ſt January 1711. The latter was evacuated by the garriſon, 23d February 1711, upon the approach of the marquis de Valdecanas to attack it. Annals Anne, 1710, p. 132, 3.

outdo

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outdo one another in tokens of affection to their triumphant monarch. Recruits, horſes, and proviſions poured in from every quarter, and his army was quickly multiplied to ſuch a ſuperiority, as conſtrained the friends of Charles to deſpair of his cauſe[63]. 1710.

The marquis de Bais, who commanded the Spaniſh forces in Eſtramadura, prevented the junction of the Portugueſe with the army of Staremberg, and extended his depredations into the heart of Portugal. He made himſelf maſter of the town of Mirando de Douro by ſurpriſe, and formed the blockade of Braganza, which was raiſed by the marquis de Riſburg. The capture of a few inconſiderable villages on the frontiers of Spain, was all that the confederates had to balance the ſucceſs of Philip in Portugal[64]. July.

During theſe operations ſome ſhips of war were taken on both ſides. Sir John Norris, who commanded the Mediterranean ſquadron, prevented a deſcent, intended by the French and Spaniards upon the iſland of Sardinia, by making prizes of four Tartanas with four hundred and fifty men, who had landed there; and afterwards of eight large barks, with five hundred men, deſtined for the ſame purpoſe, lying in the gulf Ajazzio[65]. 5th June. 8th.

An expedition was again concerted in favour of the Cevennois. The Engliſh troops landed, and eaſily got poſſeſſion of the town of Agde; but upon hearing of the approach of the duke of Noailles, they embarked, leaving a ſmall garriſon at La Cotte, which became his priſoners[66]. 19th July.

A fleet was ſent out to Newfoundland, to recover the loſs ſuſtained there the preceding ſeaſon. The garriſon of Port-Royal ſurrendered upon capitulation[67]. All the French harbours, on the north ſide of Newfoundland, were viſited and deſtroyed by the Engliſh fleet[68]. 2d Oct.

[63] Upon hearing of theſe events, the elector of Hanover ſhrewdly remarked, that the union of France and Spain was the gordian knot, which it was impoſſible to unlooſe.

[64] Quincy, tom. vi. p. 428. 465. Hiſtory of Europe, 1710.

[65] Lives of the Admirals, vol. iii. p. 244.

[66] Id. p. 246, 7.

[67] Id. p. 252.

[68] Id.

Upon

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Upon the review of this campaign, it appears, that the allies had little to boaſt of; they added ſeveral valuable towns to their former conqueſts, but were removed farther than ever from the principal object at which they profeſſed to aim. Their proſpect of ſubduing Spain, and depoſing Philip, was now become more deſperate; and when ſeven millions of money, and the lives of above twenty thouſand men, are put in the balance againſt all their other advantages, poſterity cannot heſitate in condemning the folly, as well as the iniquity of thoſe who wantonly prolonged the war.

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Effects of Sacheverel's Trial.—Mr. Harley admitted to ſecret Conferences with the Queen, who is anxious for the Reſtoration of Peace.—Symptoms of her Diſpleaſure with the Whig Miniſters.—Their Efforts to maintain their Power.—Mr. Harley's Views with reſpect to the new Arrangements.—Parliament diſſolved.—Changes and Promotions.—Circumſtances favourable to the Tories at the General Election.—Meeting of Parliament, &c.—Inquiry and Repreſentation of the Commons relative to public Abuſes.—Inquiry of the Lords concerning the Management of Affairs in Spain.—Their Reſolutions.—Act relative to the Qualifications of Members of the Houſe of Commons.—Decline of public Credit.—Endeavours of the Miniſters for raiſing it.—South-ſea Scheme. Proceedings of the Convocation.—Rivalſhip and Diſunion among the Leaders of Adminiſtration.—An Attempt upon Mr. Harley's Life by Guiſcard.—Meaſures occaſioned by that Event.—Prorogation of Parliament.

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THE iſſue of Dr. Sacheverel's trial proclaimed the impotence of miniſterial vengeance; and, inſtead of ſtigmatizing and reſtraining thoſe pernicious principles which he maintained, contributed to encreaſe the number and effrontery of their votaries. The danger of the church reſounded in every village: the doctrines of indefeaſible

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indefeaſible right, and non-reſiſtance were revived, and inculcated with as little reſerve as under the reigns of her majeſty's uncle and father: the revolution was compared to the breach made upon the conſtitution in 1648; and the trial of Sacheveral was repreſented as a counterpart to that of archbiſhop Laud. Such was the popular avidity for publications of this ſtamp, that the hawkers and pedlars who retailed them, found a ready ſale and kind reception in every part of the country, while thoſe in defence of the Whigs remained unſold, and expoſed the authors and publiſhers to the fury of the mob [1].

There were ſtrong reaſons for believing that this change of public ſentiment was by no means diſagreeable to the queen. The whig junto had long maintained the ſtrong holds of power in oppoſition to her ſecret inclinations. Indebted to her timidity and the fortune of incidents for the removal of their rivals, inſtead of trying to regain her confidence by a reſpectful deference, they ſtill continued to exerciſe the ſame dictatorial authority in the cabinet, and thwarted her in points where both her affection and honour were deeply intereſted.

Upon the death of the earl of Eſſex, her majeſty expreſſed her earneſt deſire to give his regiment to lieutenant colonel Hill, the brother of Mrs. Maſham. The duke of Marlborough and the earl of Godolphin remonſtrated againſt her choice, becauſe ſuch a public mark of favour, to a family that acted in oppoſition to them, would be conſidered as a ſignal of their declining power, and could not fail to leſſen their authority both at home and abroad. The queen did not ſeem to feel the force of this argument, and ſtill perſiſted in her purpoſe. The duke of Marlborough diſcontinued his attendance at court. His friends upbraided the ſovereign with ingratitude, and threatened vengeance againſt the favourite, by uſing their influence in parliament to remove her from the royal preſence. Overawed by January.

[1] Impartial View, p. 234. Hiſtory of Europe, 1710. p. 556.

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theſe menaces, her majeſty, after a painful ſtruggle, yielded to her ſervants, which publiſhed the mortification and ſervility to which ſhe was reduced [2].

As the queen's affections were ſecretly withdrawn from her preſent miniſters, ſo the proſecution of Dr. Sacheveral, and the ſtrain of argument by which it was ſupported, tended to revive her early prejudices againſt the Whigs. Notwithſtanding that her own title to the crown was founded upon the revolution ſettlement, and the authority of parliament, ſhe did not reliſh the diſparagement of her lineal right; nor was ſhe pleaſed to hear the managers for the commons inſiſting ſo vehemently upon the limitation of prerogative and the lawfulneſs of reſiſtance [3]. In the courſe of hiſtorical inveſtigation, they could hardly avoid to wound her feelings as a relation, by introducing ſuch facts as reflected upon the memory of ſome of her royal anceſtors [4]. On the contrary, the declamation of the doctor's defenders, coinciding with her prejudices, impreſſed her with ſerious apprehenſions concerning the danger of the church. Wedded to its intereſt by a zeal more ſincere than that of many of its preſent champions, it was not to be expected that ſhe could eſcape the taint of fanaticiſm, which, like a peſtilence, infected the maſs of her ſubjects; and, though ſhe was conſtrained formally to approve of the late proceedings of her miniſters, yet her heart and wiſhes were againſt them. She was tardy and reluctant in executing the laws for controlling the violence and riots which happened during the trial, and certainly did not ſympathize with the leaders of the

[2] Tindal, vol. ix. p. 5. Life of Bolingbroke, p. 168. The Whigs intended to move for an addreſs in the houſe of commons to diſmiſs Mrs. Maſham. The queen was ſo much alarmed, that ſhe made private applications to the members to oppoſe it; and the Whigs, apprehending that they were not likely to prevail, deſiſted from their intention. Hiſtory of the late Miniſtry. Lond. 1715.

[3] Letter from a Foreign Miniſter to Monſieur Pettekum. The earl of Wharton, in his ſpeech upon Sacheveral's cauſe, the queen being preſent, ſaid, that if the revolution was not lawful, many in that houſe were guilty of murder, rapine, and injuſtice; and the queen herſelf was not a lawful ſovereign, ſince the beſt title ſhe had to the crown, was her parliamentary one, founded upon the revolution. Oldmixon, vol. ii. p. 437.

[4] Life of Bolingbroke, p. 168.

cabinet

cabinet upon the frivolous concluſion of a buſineſs into which they had entered with ſo much paſſion and anxiety. From all theſe circumſtances, the party, which had long been baniſhed from court, was elated with the hopes of an honourable recall. Mr. Harley was again admitted to ſecret conferences with the queen: ſhe was already well diſpoſed for coming to a rupture with the party in office, provided ſhe could find the means of doing it with effect. The prevailing ſentiments and inclinations of the people were repreſented as adequate to the accompliſhment of her wiſhes; and, if encouraged and made known in a temperate and conſtitutional way, would warrant her undiſguiſed approbation and concurrence. To bring this to paſs, the endeavours of the Tories, particularly thoſe of the eccleſiaſtical order, were exerted with the utmoſt diligence and ſucceſs under the clandeſtine patronage of the ſovereign. Addreſſes were brought to court from every part of the country, containing the warmeſt declarations of loyalty. Her majeſty's hereditary right to the crown was recogniſed. The danger of the church lamented; the conduct of ſchiſmatics arraigned; and the late proceedings of the houſe of commons condemned, with ſtrong aſſurances, that if her majeſty would be pleaſed to diſſolve the preſent parliament, ſhe might depend upon their choice of repreſentatives, friendly to the crown and to the church. To counteract theſe addreſſes, others, in a different ſtrain, were promoted by the Whigs; but they were comparatively few, and met with an unwelcome reception from the court [5].

Her majeſty's inclinations became every day more evident, not only from her partiality to the tory addreſſes, but from her private

[5] Hiſtory of Europe, 1710, p. 590. Oldmixon, vol. ii. p. 450. Salmon, vol. xxvi. p. 120. Great ſtreſs was laid upon her majeſty's hereditary title, obliquely diſparaging her parliamentary one, as well as that of the late king. Republican and Popiſh principles were coupled together, and reprobated with indiſcriminate deteſtation. The word Toleration was artfully avoided; the expreſſions ſubſtituted in its place were, *legal indulgence to conſciences truly ſcrupulous; legal impunity to tender conſciences.* Her majeſty was aſſured, that the utmoſt care ſhould be taken to chooſe ſuch repreſentatives *as ſhould inviolably maintain her prerogative.* The Voice of the Addreſſers. Lond. 1710.

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demeanor, and the complexion of thoſe meaſures which flowed from her own uncontrolled direction. The ſervants of the royal houſehold, who had been convicted of riotous proceedings during Sacheveral's trial, obtained her majeſty's pardon; ſome of the doctor's friends were preferred to benefices in the gift of the crown; and in the liſts of military promotions, there appeared the names of officers who were piqued at the general, for having been ſlighted by him in the courſe of their ſervices during the war [6].

The apprehenſions of the miniſtry were firſt excited at the cloſe of the laſt ſeſſion of parliament by the removal of the marquis of Kent from the office of lord chamberlain, and the appointment of the duke of Shrewſberry as his ſucceſſor, who had incurred the diſpleaſure of the Whigs by voting againſt them in the affair of Dr. Sacheveral [7]. Although no farther change immediately enſued, yet, from ſuch a ſeries of circumſtances ominous to their intereſt, the junto were convinced, that the only expedient for retaining their power was to divide the people by turning the torrent of alarm into another channel. The fulſome flattery of prerogative, the avowed preference of her majeſty's hereditary to her parliamentary right, and the ſuſpected characters of many who took the moſt active part

[6] The earl of Portmore was appointed commander in chief in Portugal in the room of the earl of Galway, the friend of the duke of Marlborough. Lord Windſor, whoſe regiment had been taken from him for voting againſt the Whigs, was made a lieutenant-general. General Webb, who had the principal merit in obtaining the victory at Wynendale, was appointed governor of the Iſle of Wight. Political State, vol. i. p. 8. Lond. 1718.

[7] Tindal, vol. ix. p. 10. The alarm of the Whigs, upon her majeſty's reſolution of bringing the duke of Shrewſberry into the adminiſtration, is ſtrongly marked in a letter from lord Godolphin to her majeſty, 15th April 1710: "To bring the duke of Shrewſberry into "your ſervice, and into your buſineſs, at this "time, juſt after his being in a public, open "conjunction, in every vote, with the whole "body of the Tories, and in private con-"ſtant caballing with Mr. Harley in every "thing; what conſequence can this poſſi-"bly have, but to make every man that is "now in your cabinet uneaſy, and to run "from it as they would do from the plague?" Again, "Your majeſty having taken ſuch a "reſolution, of ſo much conſequence to all "your affairs, both abroad and at home, with-"out acquainting the duke of Marlborough "or me with it, till after you had taken it, "is the leaſt part of my mortification in this "affair, though perhaps the world may think "the long and faithful ſervices we have con-"ſtantly and zealouſly endeavoured to do "your majeſty might have deſerved a little "more conſideration."

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in ſupport of theſe tenets, afforded plauſible grounds for rouſing a ſuſpicion of deſigns being on foot to ſubvert the revolution ſettlement and the proteſtant ſucceſſion. The moſt fatal conſequences to public credit were portended from the diſmiſſion of miniſters, who had hitherto ſupported it under every emergency; and acquired the entire confidence of the monied intereſt [8]. A breach with the allies, and the reverſe of the ſucceſs which had hitherto crowned the Britiſh arms, were repreſented as certain effects of diſgracing the general, to whoſe wiſdom and valour their attachment and that ſucceſs were aſcribed. The Dutch and Imperial ambaſſadors were inſtructed, by their reſpective conſtituents, to expoſtulate with her majeſty concerning the miſchiefs that would accrue to the common cauſe, from taking her affairs out of thoſe hands by which they had been hitherto ſo proſperouſly conducted [9].

Whether it aroſe from the queen's being intimidated by theſe repreſentations, which ſeemed to be verified by a concurrent depreſſion in the ſtocks; or that ſhe really had intended at this time to make only a partial change of the miniſtry, ſhe received them at firſt with an apparent attention and complaiſance, extremely flattering to the hopes of the remonſtrants, and gave them poſitive aſſurance of her reſolution to continue the duke of Marlborough in her ſervice [10].

Mr. Harley, with whom the queen chiefly conſulted about the new arrangements, was probably deſirous to unite with the principal members of the whig adminiſtration, upon the condition of their agreeing to meaſures for compelling the allies to a ſtrict performance of their engagements, and of their liſtening to reaſonable terms of peace, by which it was underſtood, that every poſſible ſecurity ſhould be obtained for the proteſtant ſucceſſion [11].

Agree-

[8] The governor and directors of the bank of England waited upon her majeſty, and expreſſed their fears with reſpect to public credit from the diſmiſſion of the whig miniſters.

[9] Salmon, vol. xxvi. p. 130—4.

[10] Tindal, vol. ix. p. 24.

[11] Political State, vol. i. p. 2. Conduct Oxford, p. 30. Lond. 1715. The friends of the new

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Agreeably to this ſyſtem, the queen at firſt diſmiſſed only a few of the Whigs, and when thoſe who ſtill remained in office obſtinately refuſed to agree to any compromiſe or coalition, and even put her majeſty at defiance, by reſorting to foreign interpoſition for maintaining their power, her pride and reſentment were rouſed to make a complete change of her ſervants; and this neceſſarily led forward to a premature and unexpected diſſolution of the preſent parliament, which probably did not enter into the original plan of her adviſers[12].

The junto had the entire command of the houſe of commons; and a reliance upon its ſupport, ſtill more than the patronage of the allies, inſpired them with confidence of being able to render the

new miniſters expreſſed great diſſatisfaction with the ſlowneſs of Mr. Harley in proſecuting the new arrangements. Swift's Letters, paſſim. The offers of compromiſe, tendered to the principal leaders of the Whigs, were rejected by them from an overweening confidence in the advantages which they expected to derive from the united ſupport of the allies, of the monied intereſt, and of a majority in the houſe of Commons. Conduct of Oxford, p. 33. Cunningham, vol. ii. p. 310.

[12] Other Side of the Queſtion, p. 100. Cunningham, vol. ii. p. 310. The ſeals were taken from the earl of Sunderland, 14th June, and given to lord Dartmouth; lord Godolphin was diſmiſſed from the treaſury, 8th Auguſt; Mr. Harley, the earl of Paulett, Mr. Paget, Mr. Manſel, and Mr. Benſon, were made commiſſioners of that board. Mr. Harley was, at the ſame time, made chancellor and under treaſurer of the exchequer, in room of Mr. Smith. Sir Simon Harcourt ſucceeded ſir James Montague as attorney-general, 17th September; and was afterward, 19th October, made lord-keeper, upon lord Cowper's reſignation of the great ſeal. Lord Somers was diſmiſſed, and the earl of Rocheſter appointed preſident of the council, 21ſt September; the duke of Buckingham was made ſteward of her majeſty's houſchold, in place of the duke of Devonſhire, 21ſt September; and Mr. Boyle having the ſame day reſigned his place of ſecretary of ſtate, the ſeals were put into the hands of Mr. St. John, 29th September; the earl of Derby was diſmiſſed from being chancellor of the duchy of Lancaſter, and was ſucceeded by lord Berkely, 20th September; the earl of Wharton reſigned the lord lieutenancy of Ireland, which was given to the duke of Ormond, 19th October; the earl of Orford withdrew from the admiralty; the other four commiſſioners, ſir John Leake, ſir G. Byng, Mr. Dodington, and Mr. Methun, were continued; to whom were added, ſir William Drake, and Mr. Aiſlaby. Mr. G. Granville was appointed ſecretary at war in room of Mr. R. Walpole; Mr. Manly, ſurveyor-general, in room of Mr. Travers; and Mr. Arthur Moore, one of the commiſſioners of trade and plantations; the duke of Somerſet was made maſter of the horſe; the earl of Rivers was ſent envoy extraordinary to the court of Hanover, December; the earl had formerly been a ſtaunch Whig, and was thought the fitteſt perſon for reconciling the elector to the meaſures of the Tories. It has been alſo ſaid, that he had authority to offer the elector the command of the Britiſh army in room of the duke of Marlborough. London Gazettes, June, &c.

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ſchemes of the new miniſters abortive, and of ſoon reſuming the ſupreme direction of affairs. The diſſolution of parliament alone could baffle their hopes; and as this was an unprecedented meaſure, and diſapproved of by ſome perſons lately promoted, who had the greateſt influence with her majeſty, they were the leſs apprehenſive of its being carried into execution. In theſe expectations, however, they found themſelves diſappointed. Proclamations were iſſued for diſſolving the parliament, and calling another to meet on the 25th November. 21ſt, 26th September.

The Whigs entered the liſts of competition under ſuch manifeſt diſadvantages, as removed every hope of obtaining an equal ſhare of the repreſentation in the new parliament. The influence of the court, the officious zeal of the clergy, and the prejudices of the people were all hoſtile to them [13]. The very name of Dr. Sacheverel was a weight in the oppoſite ſcale, which no exertions on their part could counterbalance, and ſtands upon record as a demonſtration, that caprice and fanaticiſm are not leſs capable of producing a ſudden, and powerful influence upon the generality of the elective body, than thoſe means of attraction to which the name of corruption has been appropriated. In the beginning of ſummer, he ſet out from London to take poſſeſſion of a new living in Wales to which he had been preſented by a zealot of the party. In his progreſs he was conſtantly attended by a cavalcade of riotous enthuſiaſts; entertained by the country gentlemen with as much magnificence as if he had been a royal gueſt; and received in ſome of the principal towns with ringing of bells, proceſſions, and every demonſtration of joy [14]. Nor were the effects of this prepoſſeſſion confined to thoſe diſtricts which he animated by his preſence. Their having voted for his impeachment was generally conſidered as an unſurmountable objection to the whig candidates, who were every where inſulted and threatened by

[13] Political State, vol. i. p. 12.

[14] Annals of Anne, 1710, p. 202. The journals of the doctor's progreſs were printed in the newſpapers, and had a great influence in encouraging his party every where.

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the rabble. Many of them, who had the firſt political intereſt in the country, deſiſted from a ſtruggle, in which they could not perſevere without perſonal danger, and almoſt without any hope of ſucceſs; ſo that in the new parliament the Tories came forth in all the plenitude of their power. In Scotland, the elections of peers were carried agreeably to the wiſhes of the court; in thoſe of the commons, parties were more equally balanced [15].

The third parliament of Great Britain met on the 25th of November 1710. Mr. Bromley, member from the Univerſity of Oxford, was unanimouſly choſen ſpeaker of the houſe of commons [16]. In the firſt parliament of the queen, he had diſtinguiſhed himſelf as an advocate for high-church principles; and to ſuperior talents added a conſummate knowledge of parliamentary buſineſs. The queen, having approved this choice, addreſſed both houſes on the 27th to the following purpoſe. She mentioned her calling a new parliament as an evidence of her confidence in the duty and affection of her ſubjects. She recommended the vigorous proſecution of the war, particularly in Spain, for which ſhe aſked the neceſſary ſupplies [17]. She expreſſed great concern for the heavy debts of the navy,

[15] Impartial View, p. 257. Political State, vol. i. p. 20.

[16] The Whigs intended to propoſe Mr. Smith, who had already preſided in parliament, and acted as a manager in Sacheveral's trial; but finding ſuch a ſuperiority againſt them, they did not bring him forward as a candidate.

[17] Nothing, ſays Meſnager, could have been more a-propos to his majeſty's intentions, who would have been glad to ſee the war removed from Flanders, where it was too heavy for all France to ſupport; and to have it carried into Spain, where every thouſand men the confederates brought into the field, muſt have coſt them as much as forty thouſand men in Flanders. The ſame author repreſents the French king as being very merry with his friends when he read the clauſe of the queen's ſpeech relative to Spain, and the anſwer of the commons; namely, "We conceive it to be of the higheſt "importance to carry on the war with vigour "in Spain." "Ouy, Meſſieurs," ſaid the French king, "il eſt de tres grand importance "au France." Meſnager, p. 101. 103. See Letter on the Management of the War, p. 26. Lond. 1711.

"I lament the neceſſity of making new "ſchemes, but believe any thing is better "than purſuing old ones. When I left Eng-"land, it ſeemed to me, that all mankind "were agreed in the impoſſibility of carrying "on the war in Spain, where ſucceſſes be-"come misfortunes, where the mines of Peru "and Mexico would hardly ſupply the ex-"pence; and, from whence, neither our men "nor

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navy, and an earneſt deſire that proper meaſures might be deviſed for diſcharging them, and preventing the like miſmanagement in future. She profeſſed her reſolution to ſupport the church of England; to preſerve the union; to maintain the indulgence to ſcrupulous conſciences; and to employ none in her ſervice, but ſuch as were hearty for the proteſtant ſucceſſion.

The expreſſion, relative to the diſſenters, was the only one in the ſpeech that afforded any handle of cenſure to thoſe who were diſſatisfied with the late change in adminiſtration. The adoption of the word *indulgence*, inſtead of *toleration*, which had been formerly uſed by the ſovereign in her communications to parliament, if it did not indicate an inauſpicious change of her diſpoſition towards ſuch of her ſubjects as were without the pale of the church, gave a ſanction unbecoming the royal dignity, to the peculiar cant of the meaneſt agents, who had been employed by the new miniſters for ſupplanting their antagoniſts [18].

28th, 29th November. Both houſes preſented addreſſes to her majeſty, coinciding with the ſentiments of her ſpeech. The commons evinced their alacrity to gratify the ſovereign, by voting a liberal ſupply the day after they had preſented their addreſs; and reſolving to maintain the 22d Dec. military eſtabliſhments entire and complete. They proceeded, without delay, to deviſe ways and means for making the ſupply effectual; and gave ſuch diſpatch to the land-tax bill, that it received the royal aſſent before the Chriſtmas receſs [19].

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" nor money return." Extract of a Letter from Lord Peterborough to ——————, 1711. MSS.

From the correſpondence between Mr. St. John and lord Townſhend, after the former was made ſecretary of ſtate, it appears, that the new miniſters were ſincerely determined on the vigorous proſecution of the Spaniſh war.

[18] The defence of Dr. Sacheveral, with reſpect to the ſecond article of impeachment; namely, that the toleration was unwarrantable, reſted entirely upon the impropriety of the term *toleration*, as unknown in law. The ſuppreſſion of this word, condemned by a quibbling fanatic, and the ſubſtitution of the term *indulgence*, which he ſupported as legal, in her majeſty's firſt ſpeech to her parliament after the trial and while the impreſſion of it was recent, had much the appearance of being done for the purpoſe of caſting a reflection upon his proſecutors and judges.

[19] The Tories had now an opportunity of making reprisals upon the Whigs for the injuſtice they had formerly met with in the trials relative

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The new miniſters, whatever were their merits or demerits in other reſpects, certainly ſtand acquitted of that inconſiſtency which has often been imputed to political men, who, after having made their way to power through a long ſtruggle of oppoſition, have adopted, with little variation, the very ſyſtem upon which they founded the guilt of their predeceſſors. The whole ſeries of their meaſures, through this and ſucceeding ſeſſions of parliament, perfectly correſponded with the ſpirit and tenor of the objections which they had uniformly urged againſt the whig adminiſtration. The neglect of the war in Spain, profuſe expenditure of public money, abuſes in offices, and the danger of the church, were made the ſubjects of parliamentary inquiries, and principally occupied the attention of both houſes.

As the baſis of their inquiries concerning the miſmanagement of the revenue, and abuſes in office, the commons addreſſed her majeſty for all the eſtimates of the ſeveral ſums demanded for the public ſervice, and the vouchers for the diſburſements of the public money in every department ſince the commencement of the war[20].

1710, 11. After a minute examination of theſe papers, with the aſſiſtance of the commiſſioners of public accounts, they exhibited a detail of their various reſolutions and obſervations in a repreſentation and addreſs

4th June. to her majeſty, at the end of the ſeſſion.

The principal charges contained in this repreſentation, and aſſigned as the cauſes of the public debt, were the following.

That the ſervice and expence of the war for ſeveral years paſt had been enlarged beyond the boundaries preſcribed, and the ſupplies granted; that the ſurplus of particular funds had not been applied, agreeably to the rules of prudent œconomy, in aid of the deficiencies of others, but to caſes not authorized by parliament; that the debts of the navy in particular had been increaſed, by transferring the ſums

relative to contraverted elections; and did not fail to embrace it to increaſe their majority in the houſe of commons. Political State, vol. i. p. 134.

[20] Journals Commons, 2d December, &c. paſſim.

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iſſued for that ſervice to other purpoſes; all theſe practices were adjudged a miſapplication of public money, and of the moſt alarming tendency, becauſe they ſuperſeded the unalienable prerogative of the houſe of commons, and thus wounded the conſtitution in a vital part. Notorious abuſes in victualling the navy were ſpecified, and aſcribed not only to the frauds of contractors, and ſubordinate agents, but to the groſs miſmanagement of the commiſſioners intruſted with that department. The treaſurer was accuſed of criminal negligence and backwardneſs in not exacting payments from the collectors and receivers of the public revenue, which occcaſioned great arrears of taxes, and obliged the government to borrow money for preſſing demands at a high intereſt. As an example of defalcation in this article, it was repreſented, that of the ſums granted by parliament, and iſſued for the ſervice of the year 1710, there remained, unaccounted for, thirty-five millions, three hundred, two thouſand, one hundred and ſeven pounds. The expence incurred by bringing over and ſubſiſting the palatines was ſtated as an extraordinary and wanton miſapplication of public money, and the adviſers of that meaſure were voted enemies to her majeſty and the kingdom. And finally, the new charter impoſed upon the burgh of Bewdly, without the ſurrender of the old one, was repreſented as a more unwarrantable ſtretch of prerogative than had been exemplified in the arbitrary reigns before the revolution. Theſe manifold crimes were charged in the moſt pointed terms upon the late miniſters, whoſe guilt was highly aggravated by their falſe profeſſions of love to their country, by their irreverence to their ſovereign, and their diſlike to all thoſe perſons who were well affected to her and the church. Her majeſty was flattered for her wiſdom in diſcovering the pernicious tendency of ſuch meaſures, and expreſſing her diſpleaſure againſt their authors; and ſhe was earneſtly entreated to employ, in future, only ſuch as had given evidence of their duty to her, and their affection to the kingdom.

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As our opinion with reſpect to the leaders of the contending parties, at this period, muſt depend, in a great degree, upon that which we form of this repreſentation, we ought carefully to attend both to the nature and proofs of the charges which it contains. The practice of the whig miniſters, in uſing the ſupplies for different ſervices than thoſe to which they had been appropriated by parliament, appeared from their journals, and muſt be admitted as a ſolid ground for alarming the public jealouſy, becauſe it eſtabliſhed a precedent for ſuch exerciſe of miniſterial power, as might lead to the utter ſubverſion of the rights of the commons, and the ſecurity of the ſubject.

27th Jan. 1707.

The thirty-five millions unaccounted for was very unfairly ſtated as a charge againſt the miniſters. The vouchers for the diſburſement of the whole proportion of that ſum, for which they were accountable, were ready for inſpection, and had been delayed from the preſſure of public buſineſs, and the tedious forms of the offices through which they had to paſs[21]. The criminality, annnexed to bringing over the palatines, affords a ſhocking example of that virulence and diſtortion of ſentiment which is engendered by the com-

[21] State of the Five and Thirty Millions unaccounted for. Lond. 1711. The reſolution of the commons was worded ſo as to miſlead the public opinion. For there was no mention made of the date of the commencement of theſe accounts, which ran as far back as December 1682. The charge was vague, repreſenting that a great part of thirty-five millions had not been accounted for, not telling what part, and leaving it to be extended to any proportion of that ſum, ſhort of the whole, the enemies of the late adminiſtration choſe to make it.

Some of the deficiencies, or unſettled accounts, belonged to the reigns of Charles II. James II. and William: the only queſtion affecting the character of the late miniſters was, what part of theſe accounts, or the accounts of ſeveral diſburſements, had not been laid before the auditors. It appears from the ſtatement of accounts given in by the commiſſioners, if we include, in the diſcharge, the accounts that lay before, or were given to the auditors, as well as thoſe which were actually paſſed, the balance, unaccounted for, amounted to no more than ſeven millions, five hundred and fifty-ſeven thouſand, five hundred and thirteen pounds. But when we deduce the diſburſements made for neceſſary ſervices, ariſing from the preſſing occaſions of war, and which could not admit of regular vouchers, the above ſum will be reduced to little more than four millions, a ſum far ſhort of one year's ſupply; and for a great part of which, accounts were brought in after the report. State of Five and Thirty Millions, &c.

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bined influence of religious bigotry and political zeal[22]. The conduct of the late miniſtry, relative to the charter of Bewdly, was directed by the advice of the moſt eminent judges of the law, and appears to have been founded upon the obvious dictates of common ſenſe and juſtice[23].

Although the charges contained in this repreſentation had been more certainly applicable to the whig miniſters than appears to be the caſe, yet reminding her majeſty of affronts and injuries they had committed againſt her is ſuch an evidence of perſonal pique and reſentful artifice, upon the part of thoſe who framed it, as rendered the purity of their motives extremely queſtionable; and reſtrains the praiſe otherwiſe due to their diligence, for the inveſtigation of ſubjects ſo deeply intereſting to the public welfare[24].

While the commons were occupied about the abuſes in the management of the revenue, the lords were buſy with an inquiry equally intereſting to the reputation of the late miniſters and their friends. There was not any queſtion which had all along divided the public opinion more than that relative to the affairs of Spain, nor was there any quarter in which the war had been carried on with greater variety of fortune. The Tories had always inveighed againſt adminiſtration for their neglect of the Spaniſh war, which was not even ſupported by the ſupplies deſtined for it; while the Whigs imputed all the diſaſters there to fatal miſchances, and the miſconduct of the allies. The diſputes upon this ſubject became more paſſionate from the miſunderſtandings ſubſiſting among the generals, ſucceſſively intruſted with the principal command in

[22] A bill paſſed the commons for repealing the naturalization act, but was rejected by the lords, 5th March.

[23] The charter granted by James II., upon which the new corporation was erected, being found illegal, and only a ſingle member of the ancient one ſurviving, her majeſty granted a new charter preciſely in the terms of the latter. Political State, vol. ii. p. 602.

[24] Notwithſtanding lord Godolphin's fidelity in the management of the treaſury, ſome inſtances were found of frauds and peculations which had been committed by ſubordinate agents. Mr. Ridge was expelled the houſe for having received payment for ſeveral thouſand tons of beer more than he had delivered for the uſe of the navy; and her majeſty was addreſſed to give directions for proſecuting him, and ſeveral other contractors for ſimilar offences.

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Spain, who had attached themſelves intimately to the parties at home. The earl of Galway was conſidered as dependent on the duke of Marlborough, and entirely devoted to the whig intereſt; the earl of Peterborough was careſſed by the Tories, and had annexed the moſt flattering hopes of perſonal aggrandizement to their aſcendancy. From the criſis of circumſtances, the reſpective intereſts of the two contending factions were very differently affected by the connexion which they had formed with the two rival generals. The miſconduct, or ill ſucceſs of the earl of Galway, was ſtated to the crimination of his patrons in the cabinet: the Tories reaped the fruits of the popularity which attended the gallant exploits of the earl of Peterborough; while his eloquence and local knowledge rendered him a ſucceſsful agent in arraigning the whig adminiſtration, and ſpreading unfavourable accounts of their management of the Spaniſh war. The contradictory repreſentations on this ſubject excited an eager deſire in the public for having the affairs of Spain brought under the ſcrutiny of parliament. The abrupt termination of a former inquiry, as we have already ſeen, had brought diſcredit upon the late miniſters. From the Tories, who were not a little indebted to the popular diſcontents, inflamed by this and other topics, the fulleſt ſatisfaction was now expected; and the news of the defeat of the Britiſh troops at Briheuga rendered the people impatient of longer delay in a buſineſs, about which their curioſity and paſſions had been ſo long agitated [25].

The earl of Peterborough, the earl of Galway, and lord Tyrawly, were all ſeverally examined by a committee of the houſe of lords; and, beſides verbal anſwers to the interrogatories propoſed, ſubjoined written narratives of the facts which had fallen under their knowledge, and of the reaſons of the ſeveral opinions which they had delivered in council while they ſerved in Spain [26]. The information

[25] The news of this defeat was communicated to both houſes by Mr. St. John on the 2d January, and the next day the lords entered upon the buſineſs of the inquiry.

[26] Such of the letters from the generals as contained material information were alſo read.

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communicated by the earl of Peterborough, amounted to an explicit and pointed crimination of the earl of Galway, particularly for his advice in the council of war at Valencia, to proſecute offenſive hoſtilities. The loſs of the battle of Almanza, the ſubſequent calamities of the allies in Spain, and even the miſcarriage of the expedition againſt Toulon, were all imputed to the fatal prevalence of his influence; and the ſuppoſed advantages of a defenſive war were aſſerted with that aſſurance, which can only be juſtified by experience. The earl of Galway's defence reſted upon a ſtatement of facts eſſentially different from that of the earl of Peterborough, and contained many reaſons founded on local circumſtances, in vindication of his opinion [27]. After long and warm debates, the teſtimony of the earl of Peterborough was implicitly admitted, and the conduct of the earl of Galway cenſured by a great majority [28]. As it appeared from this inquiry, that the conduct of the latter had been intimately connected with that of the miniſters, who had either adviſed or approved of all that he had done, ſo the reſolution of the lords gave a reſpectable ſanction to thoſe cenſures which the Tories had often thrown out againſt public meaſures before they came into power.

The thanks of the houſe of lords were afterwards voted to the earl of Peterborough for his remarkable and eminent ſervices, and expreſſed, by the lord keeper Harcourt, in a manner that obliquely reflected on the profuſion of rewards conferred on the duke of Marlborough. The lords cloſed their proceedings on Spaniſh affairs, with an addreſs to the queen, containing a recapitulation of their votes and reſolutions; and inſiſting, emphatically, on the ſervices of the

8th Feb.

[27] The opinion of the earl of Galway was ſupported in the council by lord Tyrawly and lord Stanhope, and approved of by the miniſters at home.

[28] Journals Lords, paſſim. Thirty-ſix lords diſſented from this reſolution. The houſe of lords diſcovered their partiality for the earl of Peterborough, by paſſing a vote of cenſure, 16th January, upon a book, intitled, Remarks on Dr. Friend's Account of the Earl of Peterborough's Conduct, becauſe it detracted from his merits; and, on the 19th, ordered the author and publiſher to be taken into cuſtody.

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earl of Peterborough, and the misfortunes which had ariſen from following the opinion and counſels of the earl of Galway [29].

The repeated diſappointments and calamities which had happened to the allies in Spain, together with an impreſſion of the notorious neglect and miſmanagement of the war in that quarter, and an exceſſive eſtimation of the exploits of the earl of Peterborough, all concurred to render a majority in the houſe of lords more ſubſervient to the reſentment of the Tories in this queſtion, than they were in any other which came before them this ſeſſion, and led them to adopt reſolutions nowiſe juſtifiable by the facts and arguments upon which they were founded. The ſervices of lord Galway, which had often been ſignally meritorious, ought to have protected him from the ſevere cenſures with which he was now loaded, though his errors or miſconduct had been eſtabliſhed by more impartial and ſatisfactory evidence than was produced upon this occaſion.

The moſt important meaſure of a conſtitutional nature, brought forward in the courſe of this ſeſſion, was a new law relative to the

28th Feb.

qualifications of the members of the houſe of commons, enacting that every repreſentative for a county ſhould poſſeſs an eſtate of ſix hundred pounds per annum, clear of all incumbrances, and that every repreſentative for a borough ſhould poſſeſs one amounting, at leaſt, to half that ſum, to be aſcertained by the oath of candidates upon the requiſition of the perſons who had a right to vote at elec-

[29] The earl of Galway was cenſured by the houſe of lords for not having given the precedence to the Engliſh troops after the Portugueſe army entered into the Spaniſh territory, though it was well known that the latter had made it a condition of ſerving under him out of their own country.

The miniſters durſt not make an open attack upon the duke of Marlborough, but he was often invidiouſly glanced at in the courſe of theſe proceedings; and this was the firſt ſeſſion that paſſed ſince the commencement of the war, without his having received the thanks of either houſe. When a motion for that purpoſe was introduced by the earl of Scarborough, it was warmly oppoſed by the duke of Argyle. When that nobleman paſſed through the Hague, in his way to Spain in 1711, he paid his reſpects to the grand penſionary and lord Townſhend, but did not call for the duke of Marlborough.

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tions [30]. This act was extolled as an additional ſecurity to the conſtitution, and peculiarly favourable to the landed intereſt, which had ſunk in proportion as the monied had been raiſed by the war. It is unqueſtionably of eſſential importance to the conſtitution, that every member of the legiſlature ſhould have a perſonal and ſolid intereſt in its preſervation. But, whether the capacity of being elected a repreſentative of the people ought to be reſtricted to landed property, and what the extent of that property ought to be, are queſtions attended with conſiderable ſpeculative difficulties. We can eaſily ſuppoſe the extent to be raiſed ſo high, and the reſtrictions ſo multiplied, as to overſet the balance of the conſtitution by the increaſe of ariſtocratic influence; and, independent of this effect, to deprive the nation of the ſervices of perſons, who, by their abilities and probity, are eminently qualified for promoting its true intereſt.

Although the new miniſters enjoyed both court favour and popularity, yet their opponents were not without hopes of their ſinking under the embarraſſments to which they were expoſed from the languiſhing ſtate of public credit, and their wanting the countenance of the ſtockholders, and merchants, who formed an opulent and powerful claſs of ſubjects. The funds had been gradually falling ſince the change of adminiſtration; and ſeveral perſons of great eſtates had ſold out of them [31]. Notwithſtanding the moſt diligent exertions of miniſtry, Mr. Gold, a Whig, was choſen governor of the Bank of England; and a majority, in the ſame intereſt, were appointed directors of the Bank, and Eaſt India Company [32]. April.

Every expedient was now employed, both privately and in parliament, to re-eſtabliſh public credit: perſons of property were courted

[30] By a calculation, founded on the regulations for raiſing the militia, it appeared that the number of perſons capable of being elected according to this act would be twenty-three times more than the number actually elected; and that not leſs than one hundred and fifty of the preſent members of the houſe of commons would have been diſqualified by it. Letter upon the Subject of the Qualification Bill. Lond. 1711.

[31] The merchants in Holland, at the inſtigation of the ruling party, inſtructed their correſpondents to ſell their ſtocks, which contributed to their ſudden depreſſion.

[32] Political State, vol. i. p. 263.

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by the miniſters to purchaſe ſtock, as a teſtimony of their confidence in the proſperous management of public affairs. As, from paſt experience, every hope of ſucceſs in the war was aſſociated with the idea of the duke of Marlborough's merit, the ſtrongeſt aſſurances were now repeated of the queen's intention to continue him in the command of the army; and to gratify him in the appointments of the principal perſons who were to ſerve under him [33].

In order to remove the apprehenſions of ſtockholders, the commons pledged themſelves, at an early day of the ſeſſion, to diſcharge the public debts; and becauſe the late diſcount upon Exchequer bills

16th Jan.

had greatly impaired public credit [34], the ſum of forty-five thouſand pounds was granted for enabling her majeſty to make a contract with the Bank, to accept and circulate thoſe bills without any diſcount. Among the ways and means for raiſing the ſupplies, a lottery was adopted, and the ſubſcriptions to it filled with a celerity which exceeded the expectations of the miniſters [35].

As, in private life, individuals often build the moſt ſanguine hopes upon the promiſes of powerful friends, profered with apparent frankneſs and zeal, while yet no ſpecific object is opened to their view; ſo the public credit has been ſometimes ſucceſsfully buoyed up by aſſurance of ſome approaching, undefined reſource, known only to thoſe who are in the ſecrets of government. It was now given out, that the miniſters were ſoon to ſurpriſe the public by bringing forward new and ample means of ſupply; and, that the chancellor of the Exchequer had prepared an infallible project for paying the national debt. The confidence with which theſe topics were inſiſted on by the miniſterial agents procured belief and acquieſcence more than any argument or explanation could have done; and, together with the popularity of the meaſures carrying on in parliament, con-

[33] Political State, vol. i. p. 148.

[34] Exchequer bills were three per cent. leſs in value than the ſums ſpecified in them. Hiſtory of the Four laſt Years, p. 177.

[35] One million, five hundred thouſand pounds was raiſed in this way. A bill paſſed in the houſe of commons for recalling king William's grants, but it was rejected by the lords.

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tributed in no ſmall degree to reſtore the credit of the funds. After the public had been long amuſed with conjecture and expectation, Mr. Harley at length brought forward his plan, by which it was propoſed to allow all the proprietors of outſtanding debts an intereſt of ſix per cent. redeemable by parliament, and to incorporate them for carrying on an excluſive trade to the South Sea. Notwithſtanding that the profit of this corporation was chimerical, as it was to depend upon the future diſpoſal of the Spaniſh Weſt Indies, and the will and conſent of the ſovereign in whom they were veſted, yet immenſe expectations were founded upon the idea of ſharing in the wealth of Mexico and Peru; and the common intereſt of ſix per cent. was reckoned, by men of ſanguine hopes, as a very inferior proportion of the advantage which they were to obtain from truſting the government with their property [36].

A committee of the houſe of commons was appointed to conſider the proper means of providing places of worſhip in London and Weſtminſter, proportioned to the increaſe of inhabitants; and, upon receiving their report, a bill was brought in, and paſſed both houſes, for building and endowing fifty new churches [37]. 10th March.

The proceedings of the convocation were not intereſting during this ſeſſion. The lower houſe drew up a repreſentation concerning the ſtate of religion, ſo much in the ſpirit of party, and containing ſuch unwarrantable reflections on the conduct of the late miniſters,

[36] Memoirs of the Four Laſt Years, p. 114. 116, 17. The debts, which were funded by this act, conſiſted of the navy debts, from 1702 to Chriſtmas 1710, and the intereſt due upon them to Chriſtmas 1711; debts of the ordnance, tranſport ſervice, ſubſidies to the elector of Hanover, and the duke of Zell. Two millions, ſeven hundred thouſand pounds were alſo added, diſburſed by the preſent miniſters for the purpoſe of bringing the project into effect. The total ſum provided for, was nine millions, four hundred and eighty-three thouſand, two hundred and ninety-three pounds, thirteen ſhillings and four-pence halfpenny. Beſides this ſum, above ſix millions were granted for carrying on the war, and defraying the ordinary expences of government.

[37] Three hundred and fifty thouſand pounds were granted for this purpoſe, 7th May; and the duty of one ſhilling per chaldron upon coals was continued for raiſing it: that duty had been laid on firſt for building the church of St. Paul's, which was now finiſhed.

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that the biſhops refuſed to concur with it; and ſubſtituted another in a moderate ſtrain, which the lower houſe rejected in their turn [38]. Both houſes were diſpoſed to adopt ſevere meaſures in the proſecution of the celebrated Mr. Whiſton, profeſſor of mathematics at Cambridge, who was accuſed of reviving the Arian doctrine [39], but ſo many difficulties occurred with reſpect to the juriſdiction of the court, and the forms of procedure, that all the convocation could accompliſh, was cenſuring ſome heretical propoſitions extracted from his book [40].

Judging of the internal ſtate of adminiſtration, from the complexion of public meaſures, we might naturally be inclined to think favourably of its unanimity and vigour; and that nothing but a confidence in their own ſtability could have carried the members of it to ſuch extreme violence againſt their opponents. Notwithſtanding theſe favourable ſymptoms, jealouſy and diſunion had already entered into the cabinet, and inſpired the party diſplaced with the hopes of a ſpeedy diſſolution of that political combination of which it was formed. Mr. Harley, from the ſtream of accidents, and a concurrence with the Tories while in oppoſition, was apparently reconciled to them; but he ſtill retained an attachment to Whig principles, and was ſecretly diſguſted at the precipitancy and violence of his colleagues. He diſapproved of their urging the diſmiſſion of ſome perſons, whoſe moderation and official experience might have contributed to the credit of the new adminiſtration [41]. There was not any

[38] Political State, vol. i. p. 330.

[39] Mr. Whiſton was expelled the univerſity of Cambridge, 30th October 1710, on account of his reviving the doctrine of Arius. Political State, vol. i. p. 358.

[40] Tindal, vol. ix. p. 91. Life of Whiſton.

[41] Mr. Harley did not deſtine, for Mr. St. John and ſir Simon Harcourt, thoſe high departments to which the poſture of affairs ſoon exalted them. He wiſhed to reſtrain the impetuoſity, and balance the prominent talents of the tory leaders with the reputation of men who had long been accuſtomed to buſineſs; and the diſcovery of this, which his colleagues called *trimming*, diſguſted them, and ſowed thoſe ſeeds of diſſenſion which ſoon diſtracted the cabinet. Pamphlets of the Times. Swift's Letters, paſſim.

"Harley uſed often to complain to Lord "L——

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any one of the cabinet, who had yet acquired that ſuperiority of influence which was neceſſary to maintain a conſiſtent energy in counſel, and to control the intrigues of aſpiring individuals. The earl of Rocheſter, Mr. Harley, and Mr. St. John, were all ſtruggling to obtain the aſcendancy in the adminiſtration; and poſſeſſed peculiar recommendations for that honourable diſtinction. The earl of Rocheſter, on account of his long experience, his ſteady attachment to the church, and his affinity to the queen, thought himſelf beſt entitled to it. Mr. Harley valued himſelf upon his moderation: he had been the principal inſtrument of perſuading her majeſty to change her meaſures, and as he had been the acknowledged head of the party when in oppoſition, he expected to retain the ſame preference after it came into power. Mr. St. John was the leader of that diviſion of the Tories, which wiſhed for ſpirited and bold meaſures; and as he was too ambitious to be contented with a ſubordinate place, he was conſcious of talents far ſuperior to any of his rivals. The reciprocal animoſity, which commenced between the earl of Rocheſter and Mr. Harley upon the firſt change of the miniſtry, was not concealed either from their friends or enemies. Mr. Harley and Mr. St. John were both ſecretly making their court to the duke of Marlborough, with a view to ſecure his patronage upon the probable event of a new revolution in the cabinet [42]. From ſuch internal diſunion, it is not likely that Mr. Harley's colleagues would have ſubmitted to his obtaining the chief direction of affairs, had it not been for a ſingular occurrence, which intereſted the queen more deeply in his favour; and gave him an unrivalled claim to every mark of preference and honour.

The abbe de Bourlié, afterwards known by the name of the marquis de Guiſcard, having been compelled to abandon his native coun-

" L—— of the Tories having being cut out of " buſineſs for twenty years, and of their unfit- " neſs for it, and had, therefore, a mind to " bring over a capable Whig or two; but the " leaſt motion of it put the Tories in a flame; " and he could not do it." Anecdotes of Lord Oxford. Stuart Papers, 1714.

[42] Stuart Papers, 1714. Cunningham, vol. ii. p. 347.

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try, on account of his criminal conduct, proffered his ſervices to the allies, by whom they were readily accepted. He was employed in ſeveral expeditions on the French coaſts, in which his ſucceſs did not anſwer the expectations raiſed by his enterpriſing ſpirit and vaunting pretenſions. He had, however, in acknowledgment of his zeal, obtained a ſmall penſion from the States, and the pay of a colonel in a regiment of foreign refugees ſent into Spain by the court of England. From the arrogance of his manners, he loſt the favour of the commanders who firſt patroniſed him. The regiment in which he held his commiſſion being cut off at the battle of Almanza, and a ſuſpicion ariſing of his perfidy in maintaining a correſpondence with France, his pay was withdrawn, and he was alſo deprived of his Dutch penſion. He lived in London in the moſt deplorable ſtate of poverty and deſpair, till the change of the miniſtry renewed his hopes of being taken into favour by the court. In the days of his proſperity he had been introduced to Mr. St. John, and, from a congenial diſpoſition, had been made the companion of his pleaſures: he afterwards acquired a ſort of political merit by calumniating the whig miniſters. Nor were theſe grounds of his pretenſions overlooked. Mr. St. John procured a promiſe from the queen in his behalf, for a penſion of five hundred pounds per annum, which, when it came to be claimed, Mr. Harley reſtricted to four hundred. Indignant at this affront, and exaſperated againſt the queen and Mr. St. John for yielding to Mr. Harley, the marquis formed the deſperate reſolution of making his peace with the French court by conveying intelligence of what paſſed in England. Lord Portmore having diſcovered his treachery, ſent information of it to the miniſtry, who finding it corroborated by other proofs, iſſued a warrant for apprehending Guiſcard[43]. During his examination at the Cockpit, he

[43] Political State, vol. i. p. 191. To avoid ſuſpicion, Guiſcard had ſent his letters to Portugal, under lord Portmore's cover, to a perſon who conveyed them from Liſbon to Paris. His lordſhip, from ſome ſuſpicious circumſtances, opened one of the packets, and diſcovered the treachery.

expreſſed

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expreſſed an earneſt deſire to ſpeak privately with Mr. St. John, and this being refuſed, he ſtept forward to the council table, and ſtruck Mr. Harley twice upon the breaſt with a pen-knife. Mr. St. John, ſeeing Mr. Harley fall, drew his ſword, and made ſeveral thruſts at Guiſcard, who, bleeding with his wounds, was carried to Newgate, where he died in a few days[44].

1711. 8th March. 13th.

This accident, which had nearly proved fatal to Mr. Harley, blaſted the hopes of his miniſterial rivals; fixed his precedency in the cabinet; and gave firmneſs to an adminiſtration which had been tottering from inherent jealouſies and diſunion.

Both houſes preſented a joint addreſs to the queen, aſcribing the attempt upon Mr. Harley's life to his extraordinary fidelity in her ſervice. During his confinement from indiſpoſition, he was flattered with anxious inquiries about his health by the ſovereign, and perſons of the firſt diſtinction. An act immediately paſſed upon the ſuggeſtion of the queen, making it felony to attempt the life of a privy counſellor in the execution of his office[45]. The houſe of commons reſolved unanimouſly to congratulate Mr. Harley upon his recovery, which was done by the ſpeaker in the higheſt terms of compliment.

13th. 11th, 17th April.

While Mr. Harley's danger and eſcape intereſted the attention of the public, his ſcheme for diſcharging the national debt was introduced with peculiar advantage; and, being received with implicit approbation, ſuperſeded that inveſtigation which might have led to a detection of its fallacy, and a foreſight of the diſappointments with which it was pregnant. It was extolled as an effort of genius and patriotiſm ſurpaſſing all his former merits; and, in teſtimony of her majeſty's high approbation of his ſervices, he was honoured with a peerage, and appointed lord high treaſurer.

2d May. 24th.

[44] Political State, vol. i. p. 210.

[45] A proclamation was publiſhed, 17th March, to put in execution the laws againſt the Roman catholics. It had been the ſcandalous practice of every ſucceſſive adminiſtration, ſince the commencement of the reign of queen Elizabeth, to impute every public evil to the Roman catholics.

On

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On the 12th of June her majeſty came to the houſe of peers, and expreſſed her great ſatisfaction with the proceedings of this ſeſſion, after which the lord keeper prorogued the parliament [46].

[46] Beſides the acts already mentioned, the principal ones of a public nature were, an act for eſtabliſhing a general poſt-office, and an act for better preventing exceſſive and deceitful gaming. Her majeſty had announced to both houſes, 20th April, the news of the emperor's death, and her purpoſe to uſe her endeavours, in conjunction with the States, to get the king of Spain made emperor, for which ſhe received their thanks.

Several changes and promotions took place during this ſeſſion. The duke of Marlborough made a reſignation of all the ducheſs's places at court, 19th January 1711. She was ſucceeded as groom of the ſtole, and keeper of the robes, by the ducheſs of Somerſet; and by Mrs. Maſham as keeper of the privy purſe. The duke of Argyle was appointed ambaſſador extraordinary, and commander in chief in Spain; January. The earl of Peterborough was ſent to Vienna after the riſe of the ſeſſion, to endeavour to accommodate the diſputes between that court and the duke of Savoy, and to attend at the election of the new emperor. Notwithſtanding his ſervices to the preſent miniſters, and their zeal for his honour, yet it appears from his letters, when abroad, that he had not been taken into their ſecret with reſpect to the peace, the negotiations for which were now begun. He expreſſes the utmoſt aſtoniſhment, upon hearing the report abroad concerning the intentions of miniſtry to give up the Spaniſh monarchy to the houſe of Bourbon; he at length grew ſuſpicious of the miniſters employing him at a diſtance; and wrote to them with ſome degree of chagrine, expreſſing his deſire to be recalled. MSS. Letters of Lord Peterborough.

In February a few alterations were made in the commiſſions of the peace, and the moſt zealous Whigs turned out. Before the riſe of the ſeſſion, the earl of Winchelſea was put at the head of the board for trade and plantations in the room of the earl of Stamford. Mr. Serjeant Banniſter was appointed firſt judge in Upper South Wales, in place of Serjeant Whitaker; and ſome alterations were made among the inferior judges.

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View of Foreign Affairs affecting the Confederacy.—Diſturbances among the Northern States—occaſion the Allies entering into a Treaty for preſerving the Neutrality of the Empire.—Treacherous Conduct of the Imperial Court with reſpect to the Duke of Savoy, &c.—Death of the Emperor Joſeph.—Campaign 1711.—Motions of the Confederate Army under the Duke of Marlborough.—Advantages obtained by the French at the Beginning of the Campaign.—Stratagem of the Duke of Marlborough for entering the French Lines at Arleux—His Succeſs.—Campaign on the Rhine—In Italy—Spain—Portugal.—Naval Affairs.

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THE advantages which the allies derived from new conqueſts, in the campaign 1710, were more than counterbalanced by the effects of coincident events in thoſe neighbouring ſtates which had hitherto remained neutral. The fatal reverſe of fortune, experienced by the king of Sweden after the battle of Pultowa, ſoon became productive of dangers not leſs formidable to the confederate powers than thoſe which had been impending during the period of his proſperity. The czar, the elector of Saxony, and the king of Denmark, conſpired to take advantage of the depreſſed condition of their adverſary. The firſt conquered Livonia; Auguſtus recovered the throne of Poland; and the king of Denmark made a deſcent upon Schonen, and renewed his pretenſions to the duchies of Holſtein and Bremen[1]. The Swediſh general Craſſau, at the head of a numerous and well diſciplined army, had retired into Swediſh Pomerania; and threatened to make an irruption into Saxony. The count Steenbock, who commanded another diviſion of the Swedes, having obtained a victory over the Danes at Gadeſbuſh, was making depredations in the diſtrict of Holſtein Gotorp. To prevent the exten-

[1] Hiſtory of Europe, 1709, p. 264. 345. Id. 1710. p. 13. 436. 596.

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sion of the northern war into Germany, the emperor, the queen of England, the United States, and ſome of the German princes, entered into a treaty for maintaining a neutrality in thoſe provinces, belonging to Denmark, Sweden, and king Auguſtus, which lay within the boundaries of the empire; and for this end each of the contracting powers became bound to furniſh a certain contingent of troops for ſerving in the northern frontiers, upon the event of actual danger[2].

May, 1710.

The czar, king Auguſtus, and the regency of Sweden, explicitly approved of this meaſure; and the king of Denmark did ſo with a few reſervations. When king Charles heard of it, he expreſſed the utmoſt diſpleaſure at the conduct of the allied powers; and inſtructed his ambaſſador at Vienna to enter a ſolemn proteſtation, condemning the treaty, and threatening vengeance againſt the parties concerned in it, as well as his former declared enemies[3]. He had already been inſtrumental in perſuading the ſultan to declare war againſt the czar, and diſpoſed as he was for the moſt deſperate undertakings, his threats were not to be regarded as impotent and deſpicable; nor did the apprehenſion of the allies ariſe merely from the connexion which he had formed with the ſultan. The French king, diſappointed in the iſſue of his late negotiations for peace, was moving every engine to improve the commotions in the north to his own advantage, by diſuniting the members of the confederacy, and raiſing new enemies to oppoſe it. While one of his miniſters at the Porte was intriguing with the grand ſeignior againſt the emperor, another in Muſcovy was labouring to conciliate the czar by tendering his maſter's ſervices to make a peace between him and the Turks[4]. The

[2] Lettres Hiſtoriques, tom. xxxvii. p. 462. 510. Barré, tom. x. p. 582. The troops of the neutrality were to aſſemble on the banks of the Oder. The parties engaged were not to interfere in the northern war unleſs it extended to Germany.

[3] Manifeſto of Charles, 28th January 1711. Letter of Lord Townſhend to Mr. Boyle, October 1711. MSS. After his defeat at Pultowa, Charles had fled to the ſultan, and was now living at Bender under his protection.

[4] Letters from Lord Townſhend to Mr. St. John, November and December. MSS. From the whole correſpondence between the Engliſh

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The czar and the French king were both tampering with the king of Pruſſia, and making him tempting offers to abandon the grand alliance, and to take an active part in the northern war. The allies were at the ſame time endeavouring to counterwork the intrigues of the French king, and prevent a coalition between him and the czar, by renewing the ſtrongeſt aſſurances of their attachment to the latter, and of their readineſs to mediate in his behalf with the ſultan, whoſe armies were making incurſions into the eaſtern frontier of the Ruſſian empire.

While the effects of theſe negotiations were yet depending and uncertain, the Poliſh, Muſcovite, and Imperial miniſters, applied to the contracting powers for their ſtipulated quotas to preſerve the neutrality of the empire. They enforced their applications by arguments, calculated to ſpread the alarming apprehenſions with which they themſelves were agitated. While general Craſſau was hovering on the borders of Poland, it would be impoſſible for them to oppoſe the king of Sweden, with a ſufficient force, on the ſide of Turkey, who, if he were ſucceſsful, would not only be enabled to effect a revolution in Poland, but to kindle a war in the heart of the German empire [5].

The court of England and the States were now convinced, that they had been too precipitate in acceding to the treaty of neutrality, which was likely to be attended with ſuch conſequences as would oblige them to carry on an offenſive war in a new quarter, and

Engliſh miniſters and the ambaſſadors at the Hague, it appears that they were greatly alarmed by the northern diſturbances.

" The affairs of the north, next to thoſe of " Spain, demand, and take up, the greateſt " ſhare of our attention. The queen's greateſt " apprehenſions aroſe from the corps of " Swediſh troops in Pomerania. An inunda- " tion of Turks and Tartars into Poland and " Muſcovy, might indeed affect the common " cauſe in ſome degree; but the leaſt motion " of that army, which Craſſau commands, " would wound us in a vital part, create an " immediate diviſion in favour of France, and " confound the whole ſyſtem of the war." Letter from Mr. St. John to lord Townſhend, 29th December, 1710. MSS.

[5] Letter from Mr. St. John to Lord Townſhend, 31ſt October 1710. Letter from M. d'Elorme to Mr. St. John, October 1710. Letter from the Ambaſſadors to Mr. St. John, 2d January 1711. Letter from Lord Townſhend to Mr. St. John, 3d Feb. 1711. MSS.

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detract from the force oppoſed to the French king[6]. It was difficult to evade their engagements, and it was no leſs ſo to find the means of fulfilling them. The miniſters, who had lately come into power in England, having uniformly accuſed their predeceſſors of wantonneſs and facility in forming continental alliances, now availed themſelves of every pretext to avoid altogether, or at leaſt to delay compliance with the requiſitions of the reſt of the contracting powers; and contended, that the treaty was not coercive or obligatory, till the German provinces were actually in a ſtate of invaſion. Afraid, however, of offending the Ruſſian and Imperial courts, and having information that the French were concerting meaſures to act in conjunction with the Swedes in Pomerania, the maritime powers began to think ſeriouſly of providing their contingents, agreeably to the terms of the treaty[7]. But here new difficulties aroſe which occaſioned great embarraſſment to the Engliſh cabinet. As none of the native troops of Britain could be ſpared, it was propoſed to transfer the Saxons in her pay to ſerve in the neutral army; but though Auguſtus would have been pleaſed with this meaſure, yet, from the perſonal attachment of theſe troops to him, it would have put the neutrality too much in his power, and perhaps have counteracted the very purpoſe of its formation[8]. The king of Pruſſia was ſolicitous to have his ſon, the prince royal, appointed to the ſupreme command of the

[6] Letter from Lord Townſhend to Mr. St. John, 31ſt October 1710. Letter from Mr. St. John to Lord Townſhend, 29th December 1710. MSS.

"As to the affairs of the north, I cannot "help thinking, that the Poles and Muſco-"vites might well look upon us as their dupes, "if we ſhould enter into the expence of the "guarantee when the reaſon of it does not "take place." Letter from Mr. St. John to Lord Townſhend, 24th October 1710.

"If the king of Poland ſhould recall his "troops from Flanders, as ſome poſitive ad-"vices at the Hague ſay he is reſolved to "do, the queen and the lords of the council "are of opinion, that this will be the beſt "expedient for freeing ourſelves from the en-"gagements we lie under on account of the "neutrality, and getting out of the many "difficulties which perplex that matter." Letter from Mr. St. John to Lord Townſhend, 23d January 1711. MSS.

[7] Letter from Mr. St. John to Lord Townſhend, 24th, 31ſt October, 1710; 13th February 1711. Letters from the Ambaſſadors to Mr. St. John, 16th December 1710; 20th January, 10th March, 1711. MSS.

[8] Id. Letters from Lord Townſhend to Mr. St. John, 30th January; 13th, 27th February 1711. MSS.

neutral

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neutral army, which was oppoſed by the other northern powers from a well founded jealouſy of his ſelfiſhneſs and ambition. The court of England, whatever part it choſe to take in this conteſt, muſt unavoidably have incurred the diſpleaſure and reproach of ſome of the allies. From all theſe cauſes, the commotions in the north of Europe contributed in no ſmall degree to impair the collective power of the confederacy, and in proportion to raiſe the hopes of the French king[9].

Independent of external cauſes unfavourable to the confederacy, the jealouſies and diſcords, which had long ſubſiſted among its members, were now grown to ſuch exceſs as rendered it incapable of uniform and perſevering exertions. While England honourably fulfilled, and even went beyond, her engagements, all the reſt of the confederates fell ſhort of theirs[10]. Hence their efforts in the common cauſe were not only cramped and enervated by a deficiency in money and troops, but their affection and confidence were alienated from each other by the breach of thoſe contracts, into which they had entered as individuals, and which had been a principal allurement with ſome of them for taking a part in the war. The conduct of the emperor to the duke of Savoy exhibited every form and aggravation of perfidy. Some of his engagements he endeavoured to elude by refined and ſophiſtical interpretations of the terms in which they were expreſſed, and he delayed the execution of others upon the moſt frivolous pretences. In reſentment of this ingratitude, the duke grew remiſs in his later exertions, and had he not been ſoftened by the attention of the queen of England, and the hopes of her obtaining juſtice for him, there can be little doubt but that he would openly have abandoned the confederacy[11]. By refuſing the

[9] In the courſe of the enſuing campaign, the Ruſſian army was completely defeated at Pruth, 18th July; and peace reſtored between the ſultan and the czar. Hiſtoire de Louis, tom. vi. p. 553. King Auguſtus recalled the Saxon troops, which weakened the confederate army; and, from theſe circumſtances, the neutrality was never carried into execution. Life of Charles XII. p. 194.

[10] Letters of Mr. Boyle, Lord Townſhend, and Mr. St. John, 1709, 10, paſſim. MSS.

[11] *Appendix*, N° XXX.

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elector palatine the inveſtiture of the upper palatinate, which had been unjuſtly transferred to the duke of Bavaria, the emperor provoked the former to detain his troops from the aſſiſtance of the allies [11].

His Imperial majeſty brought diſgrace upon the alliance by violating faith with neutral powers, as well as with thoſe who had acceded to it. The Venetians, the Griſons, and other petty ſtates in Italy, not only complained of his former uſurpations, but of his retracting thoſe recent conceſſions which had induced them to furniſh the armies, oppoſed to France, with important accommodation during the war [12].

The Dutch pleaded the notorious defalcations and faithleſſneſs of the emperor, as an apology for their own deficiencies in troops, which they had engaged to furniſh for carrying on the war on their own frontier; and they fell in arrears to the king of Portugal for the ſuſtenance money of his troops, which they were bound to pay jointly with the queen of England [14].

The king of Pruſſia, abſorbed entirely in his own intereſt, availed himſelf of every emergency to raiſe the price of his ſervices [15]. He took umbrage at the ſtates, becauſe they declined interfering with the provincial courts of juſtice in caſes where his property was at ſtake, and threatened to diſband his army, if all his demands were not complied with. Theſe contentions and diſputes were a peculiar ſource of anxiety and trouble to the queen and her miniſters. While ſhe was remonſtrating with all her allies, one by one, for failing in their engagements to the common cauſe, they, each in his turn, brought complaints againſt the others; and, as if ſhe had been ſurety for every delinquent, demanded her interpoſition for enforcing the redreſs of their wrongs. The whig miniſters having always ſtood forth as advocates for the allies when cenſured by the Tories, and having exerciſed a dictatorial authority over the deputies of the

[12] Succeſſion of Spain conſidered, p. 28. Lond. 1711.

[13] *Appendix*, N° XXX. Paragraph ſixth.

[14] Letter from the Ambaſſadors to Mr. St. John, 26th December 1710. MSS.

[15] *Appendix*, N° XXX. Paragraph tenth.

States

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States during the recent negotiation for peace, were more anxious than ever to conceal, from the people of England, the ſelfiſhneſs and injuſtice of their continental friends. They indeed inſtructed the plenipotentiaries at the Hague to urge the emperor and the States to perform their engagements; but they ſtill maintained the language of politeneſs and reſpect in all their intercourſe with them. The new miniſters began their correſpondence with the allies in the ſame courtly ſtrain. They expreſſed their earneſt wiſh for the vigorous proſecution of the war in the enſuing campaign, and particularly for the recovery of the Spaniſh monarchy; they promiſed uncommon exertions on the part of England, and expoſtulated with the emperor and the Dutch, in reſpectful terms, upon the juſtice and neceſſity of making good their ſeveral engagements as the condition on which theſe exertions were to be expected[16]. But finding them ſtill uncomplying and evaſive, and each of them pleading one another's breach of faith as an excuſe for his own, the miniſters aſſumed a more manly and deciſive tone. They declared explicitly that England would no longer ſubmit to be the dupe of the allies; that ſhe would not go one ſtep beyond the letter of her engagements in carrying on the war, nor ſo far, unleſs her partners amended their conduct by performing theirs better than they had done in time paſt[17]. Thus, it appears, that, at the opening of the campaign, the confidence of England was entirely withdrawn from the allies; that it was impoſſible for them to act together with unanimity and vigour; and this was a principal cauſe of the forwardneſs with which the Engliſh miniſters were now entering into the negotiations for peace.

[16] *Appendix*, N° XXX.

[17] Beſides the cauſes of weakening the grand alliance above mentioned, its force was greatly diminiſhed by the deſertion which took place in the laſt years of the war. Not leſs than ten, ſome ſay twenty thouſand, of the troops in the pay of Britain and the allies, deſerted during the campaign 1710. Reaſons for putting a ſpeedy End to the War, p. 7. 13. Lond. 1711. Poſt-boy, 20th September 1711. It was computed that, by deſertion and death, the allies loſt forty-five thouſand men in the year 1710. Id.

The

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The death of the emperor Joſeph*, and the approaching ſucceſſion of his brother, eſſentially changed the nature of the war; and annihilated the very object for the attainment of which the grand alliance had been formed. Such an immenſe maſs of power, as muſt have accumulated from the union of the empire and Spain, was not leſs formidable to the independence of Europe than the extenſion of the dominion of France. It was vain to expect that motives of juſtice would avail to bridle an ambition, which could ſo eaſily ſurmount every barrier to gratification. Were ſuch an event to take place, the future independence of Europe could be maintained only by an entire inverſion of the ſcheme of the confederacy, and by reſtoring that power to whoſe deſtruction it had hitherto been directed. Although, from the danger of ſuddenly diſſolving the preſent confederacy and the difficulty of ſubſtituting a new one in its place, it appeared expedient to all the parties concerned ſtill to preſerve its form and name, yet the conviction, with which all of them were impreſſed, of its original principle and utility being at an end, immediately occaſioned a relaxation in its principle and debility of its active force. Aware of theſe circumſtances, the French king now made the moſt ſtrenuous exertions, and brought more men into the field in 1711, than he had done in any campaign ſince the commencement of the war [18].

* 6th April.

The genius and talents of the duke of Marlborough ſtill rendered the ſcene of war buſy and intereſting wherever he preſided; and all the diſadvantages under which he laboured from the revolutions of domeſtic and foreign politics, inſtead of obſcuring or interrupting his glory, only ſerved to heighten its luſtre, and to aſcertain his tranſcendant and appropriate merit.

[18] Memoirs of the Four laſt Years, &c. p. 115. The French king made the ſhew of preparations for oppoſing the election of king Charles to the Imperial crown; but, it is believed that he ſecretly wiſhed for that event, knowing that the confederates would be leſs warm on the article of the Spaniſh Monarchy. Felonious Treaty, p. 18. Lond. 1711.

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On the 30th of April, the Dutch, Engliſh, and auxiliary troops were collected under the duke of Marlborough at Orchies, and, after paſſing the Scarpe, were poſted along the road from Douay to Valenciennes[19]. As prince Eugene had withdrawn from the grand army with the Germans to the Upper Rhine, the duke found himſelf unable, for ſome time, to attempt any offenſive enterpriſe againſt Villars, who had encamped with a ſuperior force behind the Senſet. Several ſkirmiſhes happened in which the French had the advantage, and ſome convoys belonging to the allies were intercepted[20]. On the 14th June, the duke, having croſſed the canal at Arleux, and repaſſed the Scarpe near Vitry, encamped on the plains of Lens with expectation of bringing the enemy to a pitched battle. Not being able to accompliſh this, he formed the reſolution of attacking their lines, which being covered by Arleux, upon the ſide of a moraſs, it became neceſſary to diſlodge their garriſon from thence. This was carried into execution on the 6th July by a detachment from the garriſon of Douay, which, notwithſtanding the fire of the enemy, paſſed a deep ditch, and made priſoners of the garriſon; but before the works were put in a ſufficient ſtate of defence, Arleux was again retaken by the French[21]. The ſuperiority of Marlborough's genius, rouſed upon this occaſion by a ſenſe of affront, rendered the triumph of his enemies illuſive and tranſient. He advanced with a great body of the army to Villars Brulin, within two leagues of their lines, and made ſuch preparations for attacking them there, as impreſſed his own troops as well as the French with the perſuaſion of his being in earneſt. Villars called in all his troops which were in the neighbouring poſts, and made the moſt proper diſpoſitions for repelling the expected attack[22]. In the mean while, the

[19] Lediard, vol. ii. p. 304.

[20] Quincy, tom. vi. p. 503.

[21] Hiſtory of Europe, 1711, p. 321. Lediard, vol. ii. p. 308. The retaking of Arleux was conſidered as one of the greateſt misfortunes that had attended the duke in the courſe of the war; and, when he heard of it, he was greatly chagrined, and ſaid he would be revenged upon Villars. Kane, p. 90.

[22] Quincy, tom. vi. p. 514. Theſe lines extended from the ſource of the Canche to that of the Scarpe, covered all the country from the ſea

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the duke of Marlborough ſent private inſtructions to general Cadogan, to draw together all the forces ſtationed in the vicinity of Douay, Liſle, and St. Amand, to move towards Arleux, and endeavour to paſs the Senſet, while he himſelf ſhould advance with the main army towards the ſame point. The confederates under the duke, being ſtill ignorant of his intention, received orders to ſtrike their tents on the approach of night; and to hold themſelves in readineſs to march, each column as directed by the officer who com-

4th Auguſt. manded it. At nine in the evening, the whole army began to move without beat of drum, and, puſhing forward with uncommon expedition, paſſed the Scarpe, and joined the detachments in the neighbourhood of Arleux within the ſpace of ten hours. The paſſages on the Senſet and the Schelde were already occupied by general Cadogan, the French having withdrawn from them without the leaſt ſuſpicion of the allies coming there. Villars, not knowing that the confederates had marched till ſix hours after their departure, made all the haſte he could to prevent them from getting within his lines; but he did not come in ſight till they had paſſed the defile of Marquion, where finding them drawn up and prepared to receive him, he immediately retreated behind the adjacent moraſs [23].

The ſecrecy of this enterpriſe, the celerity with which it was conducted, its final ſucceſs without the loſs of a man, and the great renown of Villars, who was completely out-generalled, afforded the

ſea to the Maeſe; and were deemed an impregnable barrier againſt the allies penetrating into the interior of France. Quincy, tom. vi. p. 490. Military Hiſtory of Marlborough, p. 500.

"The duke rode as near the enemies lines "as their cannon would permit; he often "ſtopped, and ſhewed the general officers how "he would have the army drawn up next "morning; and pointed with his cane to the "places where the attack ſhould be made." Kane, p. 92, 3.

[23] Lediard, vol. ii. p. 315. Kane, p. 92. *Appendix*, N° XXXI. Quincy imputes Marlborough's ſucceſs to the orders which Villars had received from the French court, which reſtrained him from engaging the allies. Quincy, tom. vi. p. 516, 614. The capture of Bouchain ſufficiently evinced the importance of the duke's ſucceſs on this occaſion; and, it is incredible, that Villars, even though he had been reſtrained from aggreſſion, ſhould not at leaſt have done all in his power to defend himſelf; and, therefore, his permitting Marlborough to remain within the French lines can be attributed to no other cauſe than his inability to prevent it.

friends

friends of the duke of Marlborough ſolid ground for boaſting of it as a ſignal proof of his military genius, and, as it was his laſt, for placing it among his moſt brilliant exploits [24]. Nor was his prudence, after this action, leſs conſpicuous than his merit in contriving and conducting it. The whole army, in a tranſport of joy for ſucceſs ſo ſudden and important, were impatient to be led into the field to conſummate their glory by more active and intrepid exertions. The Dutch deputies, who were wont to repreſs the heroic ardour of the duke when it ſtimulated him to enterpriſes of more eaſy attainment, yielded, upon this occaſion, to that temerity which is naturally inſpired by good fortune, and urged him to give battle to the French army. But he knew when to fight, and when to abſtain from it. Never was there a general, who compared circumſtances, and computed chances, with greater diſcernment and preciſion. Acquainted with the human frame, he could not be ignorant, that its faculties are over-rated, and its expectations deceitfully exalted, by recent ſenſations of joy. His men were not themſelves ſenſible how much their ſtrength was exhauſted by the fatigues they had already endured. The cavalry had only diſmounted twice for a ſhort interval during the ſpace of forty-eight hours. The French were comparatively freſh, having marched within their lines, while the allies had advanced by a circuitous route to the ground on which they met [25].

The duke now determined to undertake the ſiege of Bouchain, important for its ſituation at the confluence of the Senſet and the Schelde. It was inveſted on the 10th of Auguſt, but by the vigorous efforts made by Villars in keeping up a communication with the town, it did not ſurrender till the 13th of September [26].

[24] Lediard, vol. ii. p. 317. Spectator, N° 139. The duke himſelf had the ſame opinion of this exploit. See his Letters to the Elector of Hanover. Hanoverian Papers, 1711.

[25] Military Hiſtory of the Duke of Marlborough, p. 533. Biographia Britannica, p. 556.

[26] Lediard, vol. ii. p. 328. *Appendix*, N° XXXI.

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1711. The ſeverity of the ſeaſon, and the ſcarcity of proviſions, obliged the grand armies prematurely to cloſe this campaign, which terminated the illuſtrious career of the Britiſh general.

27th Oct.

The French had greatly augmented their force upon the Rhine, expecting that the vacancy of the Imperial throne would furniſh them with a favourable opportunity for invading Germany, and diſturbing the approaching election. The good conduct of prince Eugene, who now headed the German army, reinforced by all the Imperial and Palatine troops in Flanders, and the unanimity of the electors in making choice of Charles to the Imperial ſucceſſion, fruſtrated their deſigns, and left them nothing to boaſt of, except the temporary and inconſiderable advantage of ſubſiſting ſome detachments at the expence of the Germans [27].

Much had been expected this campaign from the duke of Savoy, who, being gratified in moſt of his demands by the emperor, re-

July. ſumed the command of the Italian army. He paſſed into Savoy, defeated the French army at Conflans; and purſued his march with the deſign of penetrating into Dauphiny and the Lionnois; but, being oppoſed by the duke of Berwick, who knew well how to take

9th Sept. his ground, the Italians got no farther than Marches, and retreated without having performed any thing worthy of record [28].

As the Tories, now in power, had often complained of the late miniſtry for neglecting affairs in Spain, it was expected that the moſt vigorous exertions would be made in that quarter. A large ſupply was provided for the Spaniſh ſervice; and the duke of Argyle was appointed to the command of the Britiſh troops, with the promiſe of conſiderable reinforcements: but, when he arrived at Barcelona, he found the troops in ſuch a wretched condition, as rendered them unfit for the field; nor was he ſupplied with money neceſſary for equipping and ſuſtaining them [29]. This negligence, ſo unexpected and

[27] Barré, tom. x. p. 596.

[28] Quincy, tom. vi. p. 562. Berwick, vol. ii. p. 119.

[29] The duke of Argyle was obliged to raiſe money

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and notorious, afforded the Whigs a fair opportunity of retorting upon their ſucceſſors with the very weapons which had been pointed againſt themſelves. It ought, however, to be conſidered, that the death of the emperor, which happened after the ſupplies were voted for Spain, put a new face upon the politics of Europe, and rendered it at leaſt doubtful, how far it would have been proper to continue the ſtruggle for throwing additional power into the hands of his brother.

The exhauſted ſtate of Arragon, Valencia and Catalonia, which had been the principal theatre of the war during the preceding campaigns, as well as the diminution of the French and Spaniſh armies, by a ſucceſſion of bloody battles, rendered them unable to take the field till the ſeaſon was too far advanced to accompliſh any enterpriſe of moment.

The principal action in Spain, during this campaign, happened at the important paſs of Prato del Rey, which was attacked by the duke of Vendoſme; but ſo bravely defended by the duke of Argyle and marſhal Staremberg, that the French and Spaniſh army was forced to retreat with great loſs. The caſtles of Arens and Venaſque, and the town of Cardona, were the only acquiſitions made by the arms of Philip [30]. 18th Sept.

In Portugal, the advantages gained by the French amounted to nothing more than making ſome incurſions into the frontier, and taking a few inconſiderable towns [31]

A French fleet entered the bay of Rio de Janeiro in Braſil, where they burnt the Portugueſe ſhips of war in that ſtation. They afterwards made themſelves maſters of St. Sebaſtian, which they retained September.

money on his plate and perſonal credit for defraying a part of the charges of the army. Life of Argyle, p. 69.

[30] Journal of the Campaign in Spain, 1711. MSS. Quincy, tom. vi. p. 582. Some hiſtorians inaccurately repreſent the attempts of the enemy upon Venaſque, Arrens, and Cardona to have failed. See Tindal, vol. ix. p. 115. After reducing the city of Cardona, the caſtle was beſieged, but relieved by general Staremberg, 22d November.

[31] Annals of Anne, 1711.

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for two months, and carried off ſix hundred and ten thouſand cruſadoes (67,625l.), beſides a great quantity of ſugar and rich plunder[32].

A ſquadron of eleven line of battle ſhips, beſides frigates and tranſports, with ſeveral regiments on board, were fitted out at great expence, and ſent to annoy the French plantations in North America, and to attempt getting poſſeſſion of the forts in Canada; an expedition which was repreſented as more immediately conducive to the intereſt of England than any that had been undertaken in the courſe of the war. From the lateneſs of the ſeaſon, the ſhortneſs of proviſions, and the bulk of the veſſels, which rendered them unfit for entering the rivers, this expedition not only failed, but eight of the

22d Auguſt. tranſports were caſt away in the river St. Laurence, and moſt of the men on board periſhed[33].

[32] Quincy, tom. vi. p. 603.

[33] Lives of the Admirals, vol. iii. p. 270. Political State, vol. ii. p. 567.

CHAP. XIX.

Steps towards Peace.—Preliminaries ſigned by Lord Dartmouth and Mr. St. John.—Diſapproved of by the Allies.—The United States conſent to the opening a Treaty at Utrecht.—Meaſures of Adminiſtration.—State of Parties.—Seſſion of Parliament.—Queen's Speech, &c.—Duke of Hamilton's Claim to ſit as a Britiſh Peer, rejected.—Act for better preſerving the Church of England.—Addreſs of the Lords relative to the Allies.—Twelve new Peers created.—Mr. Walpole expelled the Houſe of Commons.—Votes againſt the Duke of Marlborough.—Repreſentation of the Commons on the Conduct of the Allies.—Addreſs of the Lords againſt the Terms of Peace propoſed by the French Plenipotentiaries.—Prince Eugene comes to England and urges the Continuance of the War.—State of Religion in Scotland.—Affair of Mr. Greenſhield's.—Act for preventing the Diſturbance of Perſons worſhipping according to the Engliſh Liturgy—For reſtoring the Right of Patronage—For ſettling the Precedency of the Princeſs Sophia.—Bills propoſed.—Supplies.—The Queen communicates to both Houſes the Progreſs of the Treaty.—Proceedings of the Convocation.—Campaign 1712.—Myſterious Conduct of the Duke of Ormond.—Suſpenſion of Hoſtilities between France and England.—The Duke of Ormond marches to Dunkirk.—Queſnoy taken by Prince Eugene.—Victory of Villars at Denian.—Conſequent Succeſs of the French.—Campaign in Spain—Portugal—Italy—on the Rhine.

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BEFORE I return to domeſtic affairs, it will be neceſſary to give an account of the ſteps towards peace, which coincided with the tranſactions already mentioned, and materially affected the intereſt of parties, and the ſtate of public meaſures, during the enſuing ſeſſion of parliament. There is no department of hiſtory of more difficult inveſtigation than that which relates to negotiations and treaties. Being ſecret and concealed at their commencement, they become ſtill more intricate and myſterious from the ſtudied fineſſe with which they are carried on. The few, who are made privy to them, are often but partially informed; and, from a fondneſs

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neſs to raiſe their own conſequence, ſubſtitute conjectures in the place of facts. Many intereſting circumſtances, relative to the treaty of Utrecht, are ſo differently repreſented by the very perſons who had a ſhare in conducting it, that we are utterly at a loſs to reconcile their accounts, otherwiſe, than upon the ſuppoſition of their having been kept ignorant of the inſtructions given to their fellow agents, and perhaps of their very names; and ſeverally charged with departments, which made them acquainted with different, though not inconſiſtent or irreconcilable circumſtances. The illuſtration of this will ariſe from the narrative upon which I now enter.

As the exhauſted condition of France rendered the king ſtill deſirous of peace, ſo he conſidered the change of the miniſtry in England as propitious to the renewal of negotiations for that end [1]. After the propoſals which had already been rejected by the States at Gertrudenberg, with the concurrence of the whig miniſters, every hope of accommodation was excluded while the latter remained in power; whereas the inclinations of thoſe, who were now at the helm, were favourable to peace; and the ſtability of their influence depended upon its ſpeedy accompliſhment.

In the month of January, the abbé Gualtier, who had been for ſome time carrying on a correſpondence with the French miniſters, was ſent to Paris by lord Jerſey, with a verbal meſſage, expreſſing the pacific diſpoſition of the Engliſh cabinet; but intimating, at the ſame time, their fixed purpoſe not to enter upon any treaty without the knowledge and participation of their allies [2]. The mortifications

[1] Meſnager's Negotiations, p. 62. 77. Lond. 1709. Some of the whig hiſtorians aſſert that Mr. Harley and Mr. St. John had carried on a ſecret correſpondence with the French court about peace ſince the year 1707; and that the queen approved of it. Oldmixon, vol. ii. p. 475. I have not found ſufficient evidence for this aſſertion.

[2] The abbé Gualtier, chaplain to the count Gallas, became acquainted with the counteſs of Jerſey, who uſually attended the Imperial chapel, and ſhe recommended him to her huſband as a fit perſon to be employed in carrying meſſages to France. Berwick, vol. ii. p. 114.

Meſnager ſays, that the firſt offers of peace were

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cations which the French king had experienced from the conferences in 1709 and 1710, made him desirous to set the negotiations on foot, without acknowledging the States; but as this was a point in which both the honour and popularity of the English ministers were involved, he, at length, upon their urgent entreaties, consented to draw up a memorial, containing the fundamental propositions upon which he was willing to treat, to be communicated through their intervention to the rest of the allies [3]. As the English ministers began this business with every proper testimony of respect for their allies, so the latter were not wanting in professions of gratitude to them, while at the same time they expressed their dissatisfaction with the French memorial, as too general, and calculated to sow the seeds of jealousy among the parties concerned [4]. Although the negotiation began smoothly, it is certain, that no true confidence now subsisted between the allies and the court of England. The former had entered the lists against the Tories, upon the first surmise of a change in the English cabinet, and were afraid of their resentment now, when seated in power. The queen was exasperated at the States, on account of their impertinent interference in her domestic arrangements: her plenipotentiaries, agreeably to their instructions, had now begun to remonstrate sharply with all her allies on account of their dilatoriness and deficiencies in furnishing the stipulated supplies for carrying on the war: in the discussion of the questions relative to abuses in the management of the revenue during the last session of parliament, the ministerial partisans had often animadverted on the conduct of the confederate powers, and particularly that of the United States. Their selfishness, their impositions upon the good

22d April.

were concerted between him and the marshal Tallard, p. 116. Whereas de Torcy says that the abbé Gualtier was the first that broke the ice; Torcy, vol. ii. p. 179; but Torcy probably did not know of Mesnager's mission to England.

[3] Torcy, vol. ii. p. 120. Prior's History, p. 338.

[4] Tindal, vol. ix. p. 139. Mr. St. John, in his letter to lord Raby, 27th April 1711, says, that the terms of the propositions are very general; and that there is an air of complaisance to England, and the contrary to Holland, which might be of ill consequence, but can be of none as long as the queen and States understand each other.

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nature and generoſity of the Engliſh; and the jarring intereſts of England and Holland, in a commercial view, were often alluded to. After the receſs of parliament, the ſame topics were induſtriouſly circulated in converſation, and publiſhed, under the patronage of miniſtry, in forms of compoſition adapted to perſons of every taſte and ſtation. The States, on the other ſide, were notoriouſly hoſtile to the miniſters, and did every thing in their power to ſupport the credit of the oppoſite party; and while they objected to the propoſitions tranſmitted from the court of England, they were practiſing ſecret artifices to engage the confidence of the French court, and to place themſelves at the head of the approaching negotiations [5].

While the treaty appeared to be at a ſtand from the backwardneſs of the Dutch, it was advancing apace, by means of ſecret conferences carried on between the private agents of England and France. Monſieur Meſnager, who had come privately over, and continued for ſome time *incognito* in England, found opportunity, by the aſſiſtance of marſhal Tallard, to converſe with ſome of the perſons who were in miniſterial confidence. From throwing out hints apparently looſe and unpremeditated, with reſpect to the means of reſtoring peace between England and France, he led them to ſuch familiar communications, as enabled him to penetrate into the views and expectations of the court. Meſnager then opened himſelf more freely to thoſe with whom he had converſed in a private character, and producing ſatisfactory evidence of his being intruſted with the counſels of the French king, he was introduced perſonally to the miniſters. The buſineſs from that time aſſumed a ſerious form; expedients were diſcuſſed for removing the principal difficulties which obſtructed an open negotiation; ſeveral of the moſt important articles, relative to the intereſt of England and her allies, were ſpecified; and ſuch aſſurances of confidence and good will exchanged, in name of

[5] Hiſtory of the Four Laſt Years, p. 277. Torcy, vol. ii. p. 124. The diſcovery of a ſecret treaty in agitation, between France, Spain, and Portugal, rendered the Engliſh miniſters more deſirous to haſten the peace. Political State, vol. ii. p. 592.

the

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the two ſovereigns, as ſeemed to enſure the final ſucceſs of the treaty as far as they were concerned. Mr. Prior was ſecretly diſpatched to Paris to notify the diſpoſition of the Engliſh court; and to explain more fully the terms upon which, probably, a general peace might be concluded[6]. Meſnager alſo returned to France, and having communicated all that had paſſed in private conference, he was ſent back, September. together with Mr. Prior and the abbé Gualtier, inveſted with an oſtenſible character to treat, in the name of the French king, with the perſons commiſſioned for that purpoſe by the queen of England[7].

Every topic relative to this affair having been already diſcuſſed, little time was neceſſary for adjuſting thoſe points which were to be made the baſis of a general treaty; which were accordingly ſigned on the 27th of September by monſieur Meſnager, Mr. St. John, and the earl of Dartmouth[8].

When the preliminaries were made known to the Dutch by lord Strafford, the Engliſh miniſter at the Hague, they not only objected to them as inſufficient for the baſis of a negotiation, but diſpatched de Buys to remonſtrate with the court of England, againſt any far- 9th Oct. ther proceedings in this buſineſs, till the French king ſhould conſent to name the fortified places, which were to conſtitute their barrier. The emperor commenced his oppoſition to the peace, by meaſures no leſs ominous and diſcouraging to its well-wiſhers; he directed

[6] Prior, p. 345.

[7] They were all ſeized as ſuſpected perſons at Canterbury, in their way to London, but afterwards releaſed by an order from the ſecretary of ſtate. Prior, p. 348.

[8] The ſubſtance of theſe was, that the French king ſhould acknowledge the title of the queen, and the proteſtant ſettlement; that he ſhould take all juſt and reaſonable meaſures for hindering the crowns of France and Spain being united; that the Dutch ſhould be put in poſſeſſion of fortified places in the Netherlands to ſerve hereafter for a barrier; that a ſecure barrier ſhould alſo be formed for the empire and the houſe of Auſtria; that the works and fortifications of Dunkirk ſhould be razed and demoliſhed after the concluſion of the peace, on condition of a proper equivalent being given to the French king.

The preliminaries were firſt communicated to the public by count Gallas, the Imperial ambaſſador, with the intention of prejudicing the people againſt them. A meſſage was ſent him by Mr. St. John to come no more to court. Baron Bothmar's Memorial was alſo publiſhed for the ſame purpoſe. Political State, vol. ii. p. 579. 678.

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circular letters, to all the princes of the empire, and addreſſed the States, exhorting them to ſtand firm in their adherence to the terms of the grand alliance; and to join in interceding with the queen of England, to reject propoſitions, which were ſo vague and ambiguous, that they appeared to have been framed for the purpoſe of enſnaring and disjoining the confederacy. Baron Bothmar, envoy extraordinary from Hanover, ſoon after delivered a memorial to the Britiſh court, in his maſter's name, repreſenting the importance of preſerving union among the allies, and the pernicious conſequences of ceding the Spaniſh monarchy to the houſe of Bourbon [9]. Encouraged by ſuch an aſſociation, the Dutch became more violent in their condemnation of the preliminaries, and withſtood the preſſing entreaties of lord Strafford to accede to a general treaty, or to grant permiſſion to the French plenipotentiaries to enter their territories; but, when the queen not only refuſed to concert with them about the meaſures for the next campaign, but threatened to withdraw all the Engliſh troops from the field, they gradually gave way; and, at length formally announced their conſent to her propoſal for opening a congreſs at Utrecht on the 12th of January 1712 [10].

20th Nov.

Such were the ſteps taken by the miniſters in the affair of peace, previous to the meeting of the ſecond ſeſſion of parliament. A ſhort view of their domeſtic policy, and of the ſtate of parties, will contain farther preparatory information for underſtanding the important tranſactions, which occupied the attention of that aſſembly.

During the receſs of parliament, the miniſters had extended their influence and dependencies by bringing more of their party into official places [11]. They were at great pains to conciliate popular eſteem, by high pretenſions to probity and diſintereſtedneſs, and a zeal for moral reformation. A declaration was publiſhed by her majeſty

3d Sept.

[9] Tindal, vol. ix. p. 162.

[10] Prior, p. 355. Meſnager, paſſim.

[11] Several of the leading Tories were made members of the privy council. The earl of Poulet was made lord ſteward of her majeſty's houſehold in room of the duke of Buckingham, who ſucceeded the earl of Rocheſter as preſident of the council. Dr. Robinſon, biſhop of Briſtol, was appointed lord-keeper of the privy ſeal.

againſt

againſt the infamous practice of ſelling places and offices, to the great injury of the public ſervice, and the diſcouragement of virtue; and a reward was promiſed to thoſe who ſhould diſcover the perſons guilty of this crime. Nor were the good reſolutions of the preſent miniſters confined to the ſuppreſſion of political depravity. Her majeſty addreſſed a circular letter to the archbiſhop of Canterbury, lamenting the general corruption of manners, and the laxity of eccleſiaſtical diſcipline; and charged him, by the moſt ſolemn conſiderations, to uſe effectual means for putting a ſtop to theſe evils, and providing for the well-governing of the church, and the furtherance of godly living. CHAP. XIX. 1711. 20th Aug.

So far the domeſtic management and conduct of miniſters ſeemed favourable to their continuance in power; but their internal ſtrength and ſecurity had not advanced, either in proportion to the number of their friends brought into employment, or the apparent prudence and propriety of their meaſures.

1. Although the preſent miniſters owed their riſe to popular favour, yet it ſoon began to abate; and their antagoniſts, in their turn, entertained hopes of an approaching reſtoration by the aid of thoſe inſtruments which had ſupplanted them. Under the alternate impulſe of diſcordant paſſions, individuals and public bodies are precipitated into groſs inconſiſtencies of conduct and attachments. The generality of the people, zealous for the intereſt of the eſtabliſhed church, had been betrayed into exceſs of alarm from the apprehenſion of its real, or imaginary danger. Antipathy to France, abhorrence to popery, and a jealouſy for the proteſtant ſucceſſion, not leſs deeply rooted in their breaſts, now began to reſume a predominant ſway. The bold and poſitive charge of guilt ſeldom fails to leave an impreſſion, eſpecially when aſſigned to rulers, whom, from the genius of the conſtitution, Engliſhmen are naturally prone to ſuſpect. The new miniſters were branded by their discomfited antagoniſts with the aſperſion of partiality to the intereſts of the courts of France and St. Germain's, and ſome of the meaſures, which they purſued,

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ſupplied their accuſers with ſpecious facts in ſupport of this imputation [12]. Some ſuſpected Jacobites had been returned members from Scotland in conſequence of miniſterial recommendations: it was aſſerted, that not only individuals, but public bodies in that kingdom had, with impunity, given open teſtimonies of loyalty to the exiled prince [13]. All, who lay under the ſame ſuſpicion in England, took an active part in ſupporting the influence and juſtifying the meaſures of the preſent leaders. The negotiations for peace, originating from a clandeſtine correſpondence with the French court, and carried on in oppoſition to the remonſtrances of the confederates, awakened the doubts of the multitude, that they had been imprudent and precipitant in giving their confidence to the perſons now at the helm [14].

2. The ſtrength of adminiſtration was conſiderably diminiſhed by the ſupineneſs, or deſertion of ſome of its reſpectable friends. During the ſtruggle for power, every party is under ſtrong temptations

[12] Account of the Conduct of Oxford. Pamphlets of the times.

[13] The ducheſs of Gordon, in the month of June 1711, ſent a ſilver medal to the dean of the Faculty of Advocates in Edinburgh, with a head on one ſide, and this inſcription, *cujus eſt*; and on the other, the Britiſh iſles, with the word, *reddite*. The dean preſented the medal to the faculty at their next public meeting, and a debate enſued about the propriety of admitting it into their repoſitories; it was carried by ſixty-three votes againſt twelve to admit the medal, and return the ducheſs of Gordon thanks for her preſent. Two of the advocates, delegated for this purpoſe, waited upon the ducheſs, and expreſſed their hopes that her grace would ſoon have an opportunity to compliment the faculty with a ſecond medal upon the reſtoration of the king. The Medal, Lond. 1712. Such was the account of this tranſaction circulated by the enemies of adminiſtration, and publiſhed in the London Flying Poſt, 8th Auguſt. In conſequence of this aſperſion, an extraordinary meeting of the advocates was called 17th July, and an act was drawn up repreſenting, that they had, at their public meeting, rejected the offer of the medal, and ordered it to be delivered into the hands of the lord advocate, which had been done in their preſence; and that they had ſolemnly declared their loyal affection to her majeſty, and their zeal for the proteſtant ſucceſſion. This act and repreſentation was publiſhed in the Edinburgh Gazette, in contradiction to the account given by the Flying Poſt. As no proſecution was carried on againſt the publiſher of the paper, as had been threatened by the advocates, many ſtill retained the impreſſion which they had taken up on its authority; and, as the miniſtry did not inquire into the facts, nor take notice of ſeveral Jacobite publications in circulation, while they proſecuted, with the utmoſt ſeverity, the authors who wrote in defence of the late miniſtry, under a profeſſed zeal for whig principles, it ſtrengthened the ſuſpicion propagated againſt them by their enemies, that they were cheriſhing deſigns friendly to the pretender. Political State, vol. ii. p. 479.

[14] Pamphlets of the times.

of over-ſtretching its credit, and of amuſing the hopes of its votaries, by entering into engagements, both with regard to its patronage and public conduct, which cannot be performed when the day of trial arrives. No ſooner has the honey-moon of a new adminiſtration expired, than it begins to be upbraided with the complaints of neglected friends, and accuſed of apoſtaſy from thoſe principles which gained patriotic affection. The ſlowneſs and heſitation with which the changes in the ſubordinate places were effected, and the endeavours of the leading men in adminiſtration to compromiſe, and coaleſce with their predeceſſors, not only diſguſted ardent friends, but indicated a conſciouſneſs of imbecility, which re-animated the hopes, and conſolidated the union of their antagoniſts [15].

The performance of miniſters, who owed their preferment to a profeſſion of zeal for the church, did not come up to the expectations of thoſe who had favoured them from the pure impulſe of that principle. The clergy of the high church party had formed the moſt extravagant projects for exalting eccleſiaſtical authority and augmenting the emoluments of the ſacerdotal order. Some were ſo illiberal as to wiſh for a repeal of the act of indulgence; and all of them were diſſatisfied, becauſe nothing had been done for controlling the growth of ſchiſm, and mortifying the proteſtant diſſenters. In ſhort, except building a few churches, which was imputed to the piety of the ſovereign, a miniſtry and parliament, indebted for their political exiſtence to the zealous friends of epiſcopacy, could not as yet produce, in the regiſter of their tranſactions, a ſingle voucher of gratitude and kindneſs to their benefactors [16].

Perſons, who had long indulged the rancour of party animoſity and contributed to the promotion of the tory miniſters by the invectives and calumny with which they had loaded the Whigs, were not leſs irritated upon account of the delay of vindictive juſtice. If the crimes of their predeceſſors were as enormous as the miniſters wiſhed

[15] Swift's Letters, paſſim. Hiſtory of the Four Laſt Years, p. 43.
[16] Impartial View, p. 341.

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the people to believe, ought not ſome exemplary puniſhments to have been inflicted for the vindication of their own honour; for avenging the wrongs of an inſulted nation; and for guarding poſterity againſt ſimilar oppreſſions? But when, inſtead of impeachments and trials which had been anticipated with malignant gratification, terms of reconciliation were held out to the guilty; and when the general, who was the very ſoul of the odious cabal, and the prime delinquent, ſtill continued to enjoy boundleſs emoluments and the moſt dangerous power, theſe ſanguine partiſans were aſhamed of having been made the tools of artifice, and the dupes of their own credulity; and, whether they indulged a contempt for the timidity, or indignation at the treachery of thoſe who had deceived them, the effect was equally hurtful to the reputation and influence of the preſent rulers [17].

3. The events of the campaign 1711 were by no means favourable to the reputation of the miniſters, or anſwerable to the hopes of the nation. The importance of carrying on the war in Spain had been their conſtant theme when out of place; and the ſum, of one million five hundred thouſand pounds, had been granted for that purpoſe by the preceding ſeſſion of parliament: the duke of Argyle, who had acquired diſtinguiſhed fame as a general, had been appointed to the principal command there; and confident expectations had been cheriſhed of an entire change of the face of affairs in that quarter; but theſe were ſadly diſappointed by the criminal neglect of the miniſters in not ſending out the promiſed reinforcements and remittances [18].

[17] Impartial View. Letter to a Member of the Houſe of Commons touching Embezzlement, p. 70. Lond. 1712.

[18] Life of Argyle p. 69. It appears from the correſpondence between Mr. St. John and lord Townſhend, that the tory miniſters acted with conſiſtency in the affairs of Spain; they had determined, after they came into power, to puſh the war with the greateſt vigour there; and made the moſt earneſt applications to the reſt of the allies for ſupplying their ſtipulated quotas for that ſervice; and, though they began to grudge the redundant expence which had been laid out on the war in Germany, they were inclined to have gone farther than their predeceſſors had done in ſupport of the Spaniſh war. Letter of Mr. St. John and Lord Townſhend, paſſim. MSS.

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The ill-directed and unſucceſsful operations of the fleet had been another ground of complaint againſt the late miniſters, but, inſtead of retrieving its honour, their ſucceſſors had been the authors of diſgrace and calamities in that department, unprecedented in any former year of the war [19].

After all the expectations, which had been raiſed by the promiſes of the miniſters, relative to the management of the war, it could not fail to put their friends to the bluſh, to find, that the whole amount of ſucceſs, in the courſe of the laſt campaign, had only added freſh laurels to the general, and animated the hopes of thoſe who had been the objects of their hatred [20].

4. The firm adherence of the ejected party to one another, promoted both by their hopes and their fears, produced the moſt ſtrenuous exertions for undermining the popularity with which their antagoniſts had entered into the career of power. If the war was prolonged, it was evident that the duke of Marlborough, whoſe ſervices were indiſpenſable, would have it in his power to make his own terms with the court, and to re-eſtabliſh the intereſt of his friends; and that, on the other ſide, they had every thing to fear upon the event of peace, from the reſentment of miniſters, inflamed to the higheſt pitch by the contempt with which their offers of reconciliation had been rejected [21]. It was obvious, that every inſtance of error or miſmanagement, which occurred in the various and complicated tranſactions of a long adminiſtration, would be inveſtigated with diligence, and chaſtiſed with ſeverity. To blaſt the reputation

[19] The ill ſucceſs of the expedition againſt Canada, owing to the ignorance and neglect of thoſe who had the management of it, brought great diſcredit upon the miniſters; and it was now ſaid, that it had been undertaken ſolely for the advantage of general Hill, Mrs. Marſham's brother. Mr. Harley diſapproved of that expedition, becauſe no previous eſtimate had been given in, or money allowed for it by parliament; but it was urged by Mr. St. John, who prevailed on the queen to give a warrant for the payment of twenty-eight thouſand pounds for that purpoſe, 21ſt June 1711, at the time he was finding fault with the late adminiſtration, for increaſing the charge of the war beyond the bounds preſcribed by parliament. Memoirs of the Four Laſt Years, p. 118. Hiſtory of Impeachments, p. 204. 305. Lond. 1717.

[20] Memoirs of the Four Laſt Years, p. 120.

[21] Life of Bolingbroke, p. 268.

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putation and fruſtrate the vengeance of their enemies, no expedient ſeemed better calculated, than maintaining a ſtrict friendſhip with the allies, and co-operating with them, to diſcredit the depending negotiations. The zeal which the Whigs affected for the great object of the confederacy, and the aſſiſtance which they derived from the countenance of the allied powers, grew every day more formidable to the miniſters, and could not fail to ſucceed in retarding, or finally obſtructing the peace. The intereſt of the allies and England had been ſo long incorporated, and their connexion ſo much familiarized to the minds of the Engliſh, that a ſeparation of them was conſidered as no leſs unnatural and impolitic, than rending and dividing the Britiſh empire. The friendſhip of the Dutch was deemed ſo eſſential to the ſecurity of the proteſtant ſucceſſion, that many who had wiſhed well to the preſent miniſters, and been pleaſed with their introduction to power, became anxious for removing them, leſt they ſhould be the inſtruments of bringing the nation to a rupture with that ally, and breaking down the ſtrongeſt barrier againſt the hopes of a popiſh ſucceſſor [22].

5. The friends of adminiſtration were diſheartened, and their adverſaries encouraged by the internal diſcord, which aroſe from the different principles, the tempers, and the ambition of its members. Mr. Harley, though he had now relinquiſhed the hopes of a coalition with the Whigs, had a ſtrong bias for their political ſyſtem; and beſides he diſcovered, in the adoption and proſecution of public meaſures, an heſitation and ſlowneſs, which wearied the patience and excited the contempt of his colleagues [23]. Mr. St. John, and ſir Simon Harcourt, had imbibed the ardent and impetuous ſpirit of the party they patroniſed, and wiſhed to keep pace with the expectations of their friends, by a complete change in all the offices of government, and the ſpeedy execution of ſuch meaſures as they themſelves had recommended when out of place. The haughty

[22] Somers, vol. xvi. p. 338.

[23] Sheridan's Life of Swift, p. 75. Swift's Letters, 8th February, 4th March, 1710.

ſpirit

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ſpirit of Mr. St. John ſubmitted, with diſdain, to the authority of a miniſter, whom he conſidered as inferior to himſelf in mental endowments and political knowledge. The miſunderſtanding between Mr. St. John and Mr. Harley had grown to ſuch a height at the beginning of the year 1711, that they had not only diſcontinued all ſocial intercourſe, but ſeldom met at the council-board; and the former had begun to enliſt partiſans for himſelf with a view to a new adminiſtration [24].

The early defection of the duke of Somerſet from the preſent adminiſtration was attended with effects injurious to their meaſures; and gave ſerious alarm to all who were intereſted in their ſtability. The duke had left the Whigs in diſguſt, becauſe he thought that he was not enough conſulted by them on political affairs; and, as his lady was in high favour with the queen, the tory miniſtry conſidered his acceſſion to be a ſtrong prop to their authority. When the queſtion for diſſolving the parliament came under conſideration, the duke warmly oppoſed it; and, being overruled, he became ſullen and unmanageable, and at length diſcontiued his attendance at the council-board. He began to aſſociate again with his old friends; and was ſuſpected of communicating to them the ſecrets of government [25]. The diſmiſſion of the duke, though the queen ſhould be prevailed upon to conſent to it, could but little avail the miniſters, while his ducheſs was rooted in her confidence, and remained, within the walls of the palace, a malignant ſpy upon all their actions [26]. Such was the ſtate of parties, when the ſecond ſeſſion of this parliament opened on the 7th December 1711.

The queen's ſpeech related chiefly to the peace. She ſaid, that, notwithſtanding the arts of thoſe who delighted in war, the place and the time for opening a general treaty were appointed; that ſhe

[24] Oxford's Account of Public Affairs. Conduct of Oxford.

[25] Hiſtory of the Four Laſt Years, p. 28, 29, 31. Advice to the October Club. He was accuſed of making known to the Whigs the ſecret negotiations for peace, which they did not fail to repreſent to the diſadvantage of the preſent miniſters, both in England and abroad.

[26] Id.

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looked upon the intereſt of the allies as inſeparable from her own; that they had expreſſed their entire confidence in her, and that ſhe would do her utmoſt to procure ſatisfaction to them. She promiſed to make the proteſtant religion, and the liberties of the nation, her principal concern; and to uſe her endeavours, after the war, to have the trade of her ſubjects improved. For all theſe ends, ſhe recommended making early proviſion for the campaign.

The commons, by a great majority, voted an addreſs, expreſſing their unreſerved approbation of her majeſty's ſpeech. The next day they granted a ſupply; and proceeded, without loſs of time, upon the eſtimates, and the ways and means.

In the houſe of lords, a motion was made by the earl of Nottingham for introducing a clauſe in their addreſs to the queen, that no peace could be ſafe or honourable for Great Britain and Europe, if Spain and the Weſt Indies were allotted to any branch of the houſe of Bourbon. After a long debate, which principally referred to the preliminaries for peace, and the engagements of Britain to the confederacy, the motion was carried by a majority of four votes [27].

As the houſe of lords had formerly addreſſed her majeſty, not to make peace while the Spaniſh monarchy remained in the poſſeſſion of the duke of Anjou, they acted conſiſtently in holding the ſame language in their addreſs, upon the approach of a treaty. Their reſolutions upon other queſtions had more the appearance of party ſpirit; and ſeemed to be intended for confirming the ſuperiority of the faction adverſe to the court. The duke of Hamilton was in great favour with the queen; and, having been created a Britiſh peer, claimed his right to a ſeat in the houſe of lords. His claim was oppoſed upon the ſame footing, that a Scottiſh peer was rendered incapable of being promoted to a Britiſh peerage after the union. Council was heard for the queen, the duke, and the Scottiſh peers; and the queſtion was decided againſt the claim. It may be

[27] Journals Lords, 6th December.

fairly

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1711, 12. 12th, 20th December.

fairly admitted, that ſpecious arguments were advanced in ſupport of this deciſion; but the previous rejection of a motion for taking the opinion of the judges, in a queſtion that was new and difficult, indicated a precipitation hardly conſiſtent with a due reſpect for juſtice [28].

The weakneſs of miniſterial influence in the upper houſe was not leſs apparent, from open and direct oppoſition to ſome of their meaſures, than from the approving, or rather foreſtalling of others, conſonant to the political ſyſtem and private ſentiments which they had eſpouſed. The principal members of the preſent adminiſtration had been the moſt notable champions for the bill againſt occaſional conformity; and it was expected, that, from conſiſtency as well as gratitude to their friends, they would loſe no time in bringing it again into parliament. That one whole ſeſſion ſhould have elapſed, without any motion for this purpoſe, was imputed to the procraſtination of the treaſurer, or to his latent affection for the diſſenters; and gave umbrage to many of the Tories, who were hardly ſatisfied with the promiſe of being gratified in the courſe of this ſeſſion [29]. But before any ſtep had yet been taken by adminiſtration in this buſineſs, the earl of Nottingham brought a bill into the houſe of lords for preſerving the proteſtant religion, by which the principal objects of the bill againſt occaſional conformity were obtained. He had ever

[28] A diſſent was entered againſt this deciſion, 20th December; and the Scottiſh peers diſcontinued their attendance in the houſe. The queen intereſted herſelf anxiouſly in behalf of the duke of Hamilton; and, in a meſſage to the houſe of lords on the 17th January, ſhe expreſſed her deſire for their advice to find out the beſt method of ſettling this affair to the ſatisfaction of the whole kingdom. In conſequence of this meſſage, the lords reſolved, that the ſitting of the peers of Great Britain, who were peers of Scotland before the union, in that houſe, by election, was alterable by parliament, at the requeſt of the peers of Great Britain, who were peers of Scotland before the union, without any violation of the union. Journals Lords, 25th January. Although no alteration followed immediately upon this reſolution, yet it appeaſed the Scottiſh peers ſo far, that they returned to the houſe of lords.

In the year 1782, the duke of Hamilton claimed to ſit in the houſe of peers as duke of Brandon; and the queſtion being referred to the judges, they were unanimouſly of opinion, that the peers of Scotland are not diſabled from receiving, ſubſequently to the union, a patent of peerage of Great Britain. Journals Lords, 6th June 1782.

[29] Letter to the October Club.

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been a zealous patron of the church, and now acted with conſiſtency; but that the meaſure ſhould have been ſupported by the generality of the Whigs, was not leſs mortifying to their conſiderate friends, than it was to their antagoniſts, who were robbed of the applauſe, which they expected from taking the firſt ſteps in every buſineſs relative to the intereſt of the church. It only remained for the latter, with a good grace, to give their countenance to this bill; and, if poſſible, to carry it beyond the intention of its authors. When it

28th Dec. came to the houſe of commons, they would not ſo much as liſten to a petition from the French and Dutch proteſtants, praying that they might be exempted from the reſtrictions impoſed upon the Engliſh diſſenters [30].

22d. The laſt triumph of the Whigs, in the upper houſe, was a vote for addreſſing her majeſty, to inſtruct her plenipotentiaries not to open the congreſs at Utrecht, until they had firſt concerted with the miniſters of the allies neceſſary meaſures for preſerving a ſtrict union among themſelves; after which, inſtead of adjourning to the 22d of January as the houſe of commons had done, agreeably to the wiſhes of the court, they adjourned only to the 2d of that month.

The repeated experience of the weakneſs and uncertainty of their influence, in the houſe of lords, induced the miniſters to ſuggeſt, to her majeſty, a very extraordinary exertion of prerogative. Twelve

31ſt. new peers were created in one day, for the purpoſe of turning the ſcale in the upper houſe in favour of adminiſtration, and overpowering all oppoſition to its plans. Although the power exerciſed by the crown upon this occaſion was not liable to any legal objection, yet it was juſtly condemned, not only by the party which it

[30] Journals Lords, 15th, 17th, 18th December. Journals Commons, 19th, 20th. It was intitled, "An Act for preſerving the Proteſtant Religion, by better ſecuring the Church of England; and for confirming the Toleration granted to Proteſtant Diſſenters, by the Act exempting them from the Penalties of certain Laws, and for ſupplying the Defects thereof," &c. &c. It was a deſpicable ſubterfuge in the Whigs to ſhelter themſelves under the title of an act, the tenor and ſpirit of which were a flat contradiction to its profeſſed purpoſe. The earl of Nottingham is ſaid to have made this bill the condition of his ſupporting the Whigs. Political State, vol. ii. p. 690.

overthrew,

overthrew, but by all the intelligent friends of the conſtitution, as eſtabliſhing a precedent, tending to control the independence of the legiſlature.

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A few days after this reinforcement of the miniſterial party, her majeſty communicated to both houſes the arrival of her plenipotentiaries at Utrecht, and their having begun to concert the moſt proper meaſures for procuring ſatisfaction to her allies, particularly with reſpect to Spain and the Weſt Indies; which communications were acknowledged with the ſtrongeſt aſſurances of gratitude and confidence in her government. 17th Jan. 18th.

Moſt of the meaſures introduced during this ſeſſion related to the proſecution of the late miniſters, and to the cenſure of thoſe meaſures which they had directed. Mr. Walpole, the late ſecretary, was expelled the houſe of commons, and ſent to the Tower, for having corruptly taken money as the price of contracts granted for foraging her majeſty's troops in North Britain [31]. 21ſt Dec. 17th Jan.

The duke of Marlborough, upon the information of the commiſſioners of accounts, was accuſed of having received enormous ſums every year, by way of gratuity, from the contractors for furniſhing the Britiſh troops with bread; of having received two and a half per cent. out of the pay of the foreign troops in the ſervice of England; and of having allowed Mr. Cardonnel, his ſecretary, to exact 11th Dec.

[31] He had received five hundred guineas, and a note for five hundred pounds, on account of two contracts for forage to her majeſty's troops in North Britain. It appears from Mr. Mann's evidence in the houſe of commons, 17th January, and Mr. Walpole's vindication of himſelf, that the latter derived no advantage from theſe ſums; that he had received them on Mr. Mann's account, having before ſtipulated with the contractors that he was to be a ſharer in this undertaking, at equal profit or loſs, as ſhould happen in performing the contract.

He was returned again member for the borough of King's Lynn, but the commo found him incapable of being elected to ſerve in the preſent parliament. They alſo reſolved, that Samuel Taylor, who had the minority of votes, was not duly elected; and that therefore the election was void. Journals Commons, 6th March 1712.

In the diſpute relative to the Middleſex election in the year 1769, the miniſterial party referred to the caſe of Mr. Walpole, as a precedent for the repeated expulſion of Mr. Wilkes; but oppoſition appealed to the ſame precedent for refuſing to ſuſtain the election of colonel Lutterel, who had the ſmalleſt number of votes. See this point ſtated, Letters of Junius, p. 520.

five

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five hundred ducats on every contract; and Mr. Sweet, the deputy paymaſter, to deduce one per cent. for all the money he paid to the contractors[32]. The duke of Marlborough did not deny theſe charges, and pleaded, in his own vindication, that the premium, which he had received from the contractors, had been formerly allowed as a perquiſite to the chief commander in the Low Countries; that the deduction from the pay of the foreign troops had been granted by her majeſty's warrant; and that the emoluments, ariſing from both, had been expended for the public ſervice in procuring ſecret intelligence, which had contributed, eſſentially, to the ſucceſs of the war[33]. Theſe apologies did not ſatisfy the houſe of commons, who reſolved, that taking money from the contractors was illegal; that the two and a half per cent. from the pay of foreign troops, was public money,

24th Jan. and ought to be accounted for; which reſolutions, the ſpeaker, attended by the whole houſe, preſented to her majeſty, who gave orders to the attorney-general for proſecuting the duke[34].

Several attempts were made to criminate the late treaſurer, but the only ſpecious one was founded upon a report of the commiſſioners of accounts, repreſenting that the ſum of twenty thouſand

17th Oct. 26th Nov. pounds had been lent to the Scottiſh treaſury, during the dependence of the union, of which twelve thouſand had been repaid, and that the remainder ought to be accounted for to the public. Upon a full examination of evidence, it appeared, that the above ſum had been remitted for the purpoſe of enabling ſome of the Scottiſh

[32] Journals Commons, 21ſt December.

[33] Marlborough's Letter. Hague, 10th November. Annals Anne, 1711; Appendix, N° 1. The value of the gratuities which the duke had received from the contractors for bread were calculated at ſixty-three thouſand, three hundred and nineteen pounds; and the two and a half per cent. deducted from the pay of the mercenary troops, at the ſum of four hundred and ſixty thouſand, and one pound. The duke of Ormond, who ſucceeded the duke of Marlborough, enjoyed the ſame emoluments. Cunningham, vol. ii. p. 417.

[34] The duke had been diſmiſſed from all his employments, 31ſt December 1711. The reaſon aſſigned for this by her majeſty was, the inquiry depending before the houſe of commons relative to his grace's conduct.

A proſecution was inſtituted by the attorney-general againſt the duke; but he ſoon after went abroad, and it was dropt, which made people believe, either that the miniſtry muſt have failed in evidence, or that they durſt not proceed. Purſe and Mitre, p. 43.

nobility,

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nobility, in the confidence of the Engliſh cabinet, to perform engagements which they had come under, to ſecure the aſſiſtance of certain individuals in carrying on the union; but that this buſineſs had been concealed from the treaſury, leſt it ſhould have given a handle to the enemies of government there for thwarting the treaty. Lord Godolphin did not materially contradict the ſtatement of the commiſſioners; and repreſented, that her majeſty had agreed not to exact the reverſion of the debt [35]. From the myſterious circumſtances which attended this tranſaction, we are warranted to conclude, that the money had been diſpoſed of in a way that could not be revealed to the public without bringing ſome imputation of ſelfiſhneſs upon individuals, who had oſtenſibly contributed to the ſucceſs of the union; nor will the moſt rigid moraliſt be inclined to cenſure the perſons then in power for ſuch an allotment of the public money, when he attends to the value of the object obtained; and to the juſtice of reimburſing the heavy expences, neceſſarily incurred by their friends, in counteracting the plots of ignorant or ill-deſigning men, hoſtile to the true intereſt of their country.

By theſe proceedings, the miniſters not only gratified their reſentment, but diſcloſed the intereſted views of their predeceſſors in oppoſing the peace. This object was ſtill more directly promoted by a ſeries of inquiries, tending to expoſe the ill conduct of the allies towards Britain; and to bear down thoſe ſcruples about ſeparating from them, which the Whigs propagated to render the treaty for peace unpopular. After a full examination of all the treaties, ſub-

[35] Second Report of the Commiſſioners of Accounts, 17th March. Upon the firſt examination, lord Godolphin acknowledged that twelve thouſand pounds had been paid back, but afterwards corrected his evidence, and ſaid that it was not paid to him. Political State, vol. iii. p. 218. We may however infer, that no proof of corruption could be found againſt lord Godolphin, from the total ſuppreſſion of this buſineſs, after it had been brought forward by a party, who had the inclination and power to condemn him, if any ſhadow of guilt had appeared. It is a ſtrong teſtimony in his favour, that Dr. Swift ſays of him; "*I think he cannot be accuſed of corruption.*" Hiſtory of the Four Laſt Years, p. 177.

ſidies,

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ſidies, and eſtimates, in which Britain and the allies were jointly concerned, the commons paſſed various reſolutions, expreſſive of their diſſatisfaction with the conduct of the latter. Theſe were

4th March. afterwards laid before the queen in the form of a repreſentation and addreſs[36], in conſequence of which, lord Strafford was inſtructed to notify to the ſtates, that the queen required them to augment their troops in a fair proportion to thoſe of England; and to threaten, if this was not complied with, that ſhe would reduce hers to the proportion of thoſe actually furniſhed by the States.

Among the cenſorious votes paſſed by the commons, none affected the honour of the late miniſters more deeply, and gave a greater alarm to the Dutch, than thoſe which related to the barrier treaty. After having examined the treaty, and the correſpondence between

16th Feb. the Engliſh miniſters and lord Townſhend, it was reſolved, that ſeveral articles of it were deſtructive to the trade and intereſt of Great Britain; that lord Townſhend had no authority for conſent-

[36] From this repreſentation, compoſed by ſir Thomas Hanmer, it appeared, that all the confederates had failed in their ſtipulations, and particularly in the quotas of men which they were bound to furniſh; that Britain had always gone beyond her engagements; and, during the war, had expended nineteen millions by way of ſurplus, or beyond the ſums ſhe was bound to pay; and that the part ſhe had borne in the war was equal to that of the whole confederacy.

The States preſented a memorial to the queen, 3d April, attempting to refute the grounds upon which the repreſentation of the commons was founded. The ſubſtance of it was, that, by the terms of the alliance, both powers had engaged their utmoſt force; and that they had done all they could do; they admitted that Great Britain had ſometimes exceeded the proportion of ſhips and men, ſettled at the beginning of the campaign; but that this could furniſh no ground of cenſure againſt them, while they fulfilled their ſtipulations; they objected to ſome of the calculations, and aſſerted, that the revenue, ariſing from the country where their barrier lay, was over-rated.

The fact ſeems to have been this: Although by the grand alliance between England, the empire, and Holland, the former was bound to aſſiſt the other two with its utmoſt force by ſea and land, yet, by a ſubſequent convention, the proportion, which the ſeveral parties were to contribute towards the war, was adjuſted in the following manner. The emperor was obliged to furniſh ninety thouſand men againſt France; Holland to bring ſixty thouſand into the field, and England forty thouſand. In the progreſs of the war, the quotas of the allies were diminiſhed, and thoſe of England augmented; and, when this was complained of, the former defended themſelves upon the general terms of the firſt convention; and, though the exiſtence of the latter was notorious and acknowledged, yet it is remarkable, when a ſearch was made for it by the tory miniſters, no copy of it could be found. Hiſtory of the Four Laſt Years, p. 148.

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ing to them; and that he and all who adviſed the ratification were enemies to the queen and the kingdom [37].

Theſe diſcoveries, tending to the diſcredit of the allies, made a deep impreſſion upon the great body of her majeſty's ſubjects, and united them with the miniſters in the deſire for peace; but at the ſame time, by widening the breach between the confederates and Britain, increaſed the inſolence of the French king, and raiſed new obſtructions to the negotiations. The commons, relying entirely on the wiſdom of adminiſtration, avoided any interference in this buſineſs; but the lords were by no means ſatisfied with the preliminaries which were propoſed by the French, and preſented an addreſs to her majeſty, aſſuring her, that they would aſſiſt her with their lives and fortunes to carry on the war in conjunction with the allies, till a ſafe and honourable peace could be obtained. 15th Feb.

The preſence of prince Eugene, who arrived in England in the beginning of the year, animated the efforts of the Whigs, and filled the court and the miniſters with the apprehenſion of dangerous intrigues for thwarting their meaſures [38]. He had authority from the emperor to propoſe ſuch plans for continuing the war, and for mitigating the burden of it to England, as began to make a great impreſſion, even upon thoſe who had expreſſed their earneſt wiſhes for a ſpeedy peace [39]. The miniſters of the States not only teazed the court with complaints and remonſtrances, but carried their appeal to the people. Their letter to the queen, complaining of the de- 5th June.

[37] While the queſtion on the barrier treaty was depending, the States wrote a letter to the queen, 19th February, expreſſing their willingneſs to explain, and treat upon ſuch articles as did not affect its eſſentials, or take away the rights which they had acquired. The repeal of the barrier treaty, though perhaps neceſſary for obtaining a peace, was certainly a harſh meaſure towards the Dutch, and diſhonourable for the queen.

[38] Hiſtory of the Four Laſt Years, p. 56. Prince Eugene continued in London till the 17th March. He was received with external civility by the court, and her majeſty preſented him with a ſword, enriched with diamonds to the value of four thouſand five hundred pounds. He was warmly careſſed by the Whigs; and entertained, with great magnificence, by the great men of every party. Political State, vol. iii. p. 55, 56.

[39] Prince Eugene's Memorial. Political State, vol. iii. p. 95. The emperor's memorial, by her majeſty's order, was communicated to the commons, February 26; and was made the baſis of reducing her contributions to the war in Spain.

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1712. 19th June.

claration which they had received from the Britiſh ambaſſador, was printed in Holland, and circulated in England as ſoon as it was delivered to the court. The commons addreſſed the queen, expreſſing their ſenſe of the indignity offered to her by this publication; and praying that, in future, ſhe would be pleaſed to decline anſwering any memorials which were printed before being preſented to her majeſty.

To the great zeal of the miniſtry and commons for the intereſt of the Engliſh church, we are to impute the repeal of ſome laws, and the enacting of others, which, however reaſonable and juſt, gave great offence to the preſbyterians in Scotland. The liberal plans of William, with reſpect to toleration there, had been greatly obſtructed, not only by the religious bigotry of the people, but by the political principles of thoſe who generally adhered to the epiſcopalian perſuaſion[40], and whoſe known attachment to king James rendered the whig miniſters more diſpoſed to comply with the ſevere reſtrictions upon religious freedom, which were ungenerouſly ſuggeſted by the members of the eſtabliſhment. Though, from the deſire of the king, ſeveral of the miniſters, who refuſed to conform to the new eſtabliſhment, ſtill continued to officiate in pariſhes where they were acceptable to the congregations; yet this had been always underſtood as an indulgence, which they owed to the connivance of the magiſtrate, rather than to the intention of the law. As the doctrinal tenets of the Scottiſh epiſcopalians and preſbyterians were the ſame, and the difference in their forms of worſhip trivial, we are the more aſtoniſhed at the narrowneſs of the latter, in grudging a toleration to their proteſtant brethren, while they themſelves were veſted with excluſive authority and emoluments as a national eſtabliſhment.

About the beginning of the preſent reign, a great change of ſentiment began to operate upon the Scottiſh epiſcopalians. It was na-

[40] Letter concerning Toleration. Edinburgh, 1703.

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tural for them, in their depreſſed condition, to cheriſh the idea of a relation to that religious community, in the neighbouring kingdom, which, under the ſanction of law, enjoyed a conſtitution and polity conſonant to their own principles; and this propenſity paved the way for a nearer conformity, by adopting the Engliſh modes of worſhip. It was alſo reaſonable to conclude, that, as the ſovereign was herſelf a member of that church and zealous for its intereſt, ſo, by accepting and uſing the liturgy, they were likely to ſtand on fairer ground for obtaining her protection when ſhe had a ſafe opportunity of beſtowing it.

The event of the union contributed ſtill farther to the encouragement of theſe hopes; and accelerated the period of their being realized. The incorporation of the legiſlatures, of the two reſpective kingdoms, ſeemed highly favourable to the uniformity of their religious eſtabliſhments; which would be more eaſily accompliſhed, if the epiſcopalians in Scotland could be induced to aboliſh every diſtinction, obſtructing their full communion with the church of England.

The ſame idea of the importance of a general uniformity, in worſhip and government, was fondly cheriſhed by ſome dignitaries of the Engliſh church, who recommended contributions to purchaſe copies of the common prayer book for the uſe of the Scottiſh epiſcopalians[41]. A few of the clergy of that deſcription, who had been ordained by the Engliſh biſhops, and who officiated in the epiſcopalian congregations in Scotland, read the prayers of the Engliſh church, though only in more private meetings, and occaſionally, becauſe it was diſliked by the generality of their adherents[42], and expoſed

[41] Memoirs of the Four Laſt Years, p. 246.

[42] Queries to the Scotch Innovators. Lond. 1712. The commiſſion of the general aſſembly complained of the uſe of the liturgy, not only becauſe it was a violation of the uniformity of worſhip ſecured by law, but becauſe "it introduced the uſe of ſet forms, "rules, and ceremonies in the worſhip of "God in public aſſemblies, the introduction "whereof was not ſo much as once attempted "even during the late prelacy." Act of the Commiſſion, 5th Auguſt 1709.

There was nothing in the epiſcopal worſhip in Scotland, to which the preſbyterians objected,

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poſed the worſhippers to the double danger, of legal penalties, and the fury of a bigotted mob [43].

A variety of circumſtances contributed, in the progreſs of the preſent reign, to forward the proſelytiſm of the Scottiſh epiſcopalians to the Engliſh forms of worſhip, and to encourage them to make a more open avowal of it. The queen had often expreſſed her ſolicitude to obtain indulgence from the eccleſiaſtical courts, in behalf of ſuch of the ſuperſeded clergy as were well affected to the government, and eſteemed for their moderation and prudence [44]. The enthuſiaſm which was kindled in England by the affair of Dr. Sacheveral was conveyed beyond the Tweed, and raiſed a congenial ſpirit in thoſe of ſimilar principles in Scotland. The diſgrace of the whig miniſters who had patroniſed the preſbyterians, and the exemplary zeal of their ſucceſſors, allured the attachment of the Scottiſh epiſcopalians, in whoſe behalf it was exerciſed, and of whoſe riſing proſperity they themſelves hoped to participate. The members of that community in Edinburgh now threw off all diſguiſe, and openly attended the Engliſh worſhip performed by Mr. Greenſhields, who had been ordained as a preſbyter by the biſhop of Roſs, and afterwards officiated as a curate at Tynan in the dioceſe of Armagh. The preſbytery of Edinburgh ſummoned him to appear before them,

jected, except the uſe of the Lord's prayer, the doxology, and the apoſtle's creed at baptiſm. Apology for the Epiſcopal Clergy in Scotland. Lond. 1793. The preſbyterian clergy were more ſtrict and rigorous in the exerciſe of church diſcipline than the epiſcopalians. Id.

[43] A riot happened at Glaſgow, 30th January 1703, in conſequence of Mr. Burges, who had taken the oaths to government, having attempted to perform ſervice according to the form of the church of England. The mob forced open the doors, broke the windows of the meeting, and, had it not been for the interpoſition of the magiſtrates, would probably have proceeded to violence againſt the principal members of the congregation. Letter of the Chancellor of Scotland, 8th March 1703. Minutes of the Privy Council. MSS.

[44] "You are to prevent as much as poſſible, the turning out of their churches, ſuch of the epiſcopal miniſtry as are qualified conform to the act of parliament."

"You are to encourage any inclinations you find in the aſſembly, to aſſume ſuch of the miniſtry who preach under biſhops, and are qualified by law," &c. Inſtructions to the Earl of Glaſgow, Commiſſioner to the General Aſſembly of the Church of Scotland. Kenſington, 22d March 1708. MSS. Paper-office.

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in order to inquire into his licence and authority to exerciſe miniſterial functions; and, upon his declining their juriſdiction, prohibited him to exerciſe any part of the holy miniſtry within the bounds and liberties of Edinburgh, with certification that, if he tranſgreſſed, he ſhould be impriſoned and ſuffer ſuch other puniſhment as they ſhould think fit to inflict. The execution of this ſentence was remitted to the magiſtrates, who called him before them, and, upon his ſtill refuſing to ſubmit to the ſentence of the preſbytery, he was ſent to priſon, where he lay for ſeveral months, till he was releaſed by a ſentence of the houſe of lords[45]. Though this ſentence was agreeable to every principle of liberality and juſtice, yet it gave great offence to the clergy and members of the eſtabliſhment, and was complained of as injurious to the purity of religion, and contrary to the exiſting laws.

15th Sept. 1709.

To remove every doubt upon this point, and to procure a legal ſanction for the epiſcopalian diſſenters to worſhip according to conſcience, a bill was brought into the houſe of commons, to repeal an act of the Scottiſh parliament, which ſubjected them to the diſcipline of the kirk courts; and to prevent their being diſturbed in the uſe of the liturgy of the church of England[46]. Seventeen only voted againſt this bill in the houſe of commons, of whom fourteen were Scottiſh members; in the houſe of lords, it was oppoſed by ſome of the biſhops, but carried with a few amendments, which were rejected by the commons[47]. The miniſters of the church of Scotland were

21ſt Jan.

[45] State of Mr. Greenſhields' Caſe. Lond. 1711. Caſe of Mr. Greenſhields. Edin. 1710. The ſentence of the preſbytery of Edinburgh was founded upon theſe two arguments: 1ſt, That he exerciſed the miniſtry within the bounds of the preſbytery without their allowance, and was an intruder. 2d, That he introduced a form of worſhip contrary to the purity and uniformity of the church eſtabliſhed by law. Mr. Greenſhields applied to the court of ſeſſion for liberation, but was refuſed upon the ground of the firſt argument, namely, that no miniſter ordained by an exauctorate, i. e. by a biſhop deprived of authority, has true ordination.

[46] It was intitled, "An Act to prevent the diſturbing thoſe of the Epiſcopal Communion, in that Part of Great Britain called Scotland, in the Exerciſe of Religious Worſhip, and in the Uſe of the Liturgy of the Church of England; and for repealing an Act paſſed in the Parliament of Scotland 1695, againſt irregular Baptiſms and Marriages."

[47] Annals Anne, p. 345. 362.

greatly

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greatly alarmed at the deſign of tolerating the Engliſh worſhip; and the commiſſion of the general aſſembly repreſented their caſe to her majeſty, and petitioned the houſe of lords for leave to ſtate their objections to the bill [47].

The ſtreſs of the argument in this repreſentation was laid upon the ſeveral acts [48], eſtabliſhing the preſbyterian government, doctrine, and diſcipline, and the confirmation given to theſe by the act of ſecurity, which was incorporated with the treaty of union. It complained alſo of the injury that would ariſe to the eſtabliſhment, by exempting diſſenters from the cenſure and penalties of the eccle-

13th Feb. ſiaſtical judicatories. It was further urged by the council for the commiſſion, that this act would be productive of the moſt dangerous conſequences to the proteſtant intereſt in general, becauſe, under colour of the toleration granted to epiſcopalian miniſters, popiſh prieſts might perform the Romiſh ſervice withimpunity [49].

The effect of the bill, in circumſcribing the power of the preſbyterian church, will appear no valid objection to thoſe, who, in a more enlightened age, are perſuaded of the unſuitableneſs of ſuch power for promoting the intereſts of true chriſtianity. The ſecond

16th. objection was obviated by an amendment, which reſtricted the toleration to ſuch miniſters as had received holy orders from the hands of a proteſtant biſhop, and who had ſubſcribed the oaths of allegiance and abjuration. The legal toleration of epiſcopacy in Scotland, though it reſtrained acts of violence, rather tended to inflame than to extinguiſh that ſpirit of rancour and perſecution, which the preſbyterians had too often indulged againſt the proteſtants who differed from them. The clergy, dreading the increaſing progreſs of epiſcopacy, from the patronage of the court, and the

[47] Annals Anne, p. 330. Journals Lords, 12th February.

[48] See Acts of the Parliament of Scotland, 5th, 1690; 29th, 1693; 22d, 1695; 3d, 1702.

[49] Political State, vol. iii. p. 40. 101. This act certainly gave a mighty blow to the authority of the eccleſiaſtical judicatories, and thereby diminiſhed the perſonal conſequence of its members. The nobility and gentry at that time ſtood in awe of the diſcipline and cenſures of the church, from which their adherence to another communion did not exempt them.

openneſs

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openneſs with which it was now profeſſed in every part of the country, nouriſhed the deluded zeal of their hearers, by declaiming againſt the hereſies of that ſect, and recommending the favourite peculiarities of their own eſtabliſhment, rather than the ſimple and practical truths of the Goſpel [50]. A more ſolid and pure ground of diſcontent aroſe from a clauſe in the act, which obliged the miniſters of the eſtabliſhed church to take the oath of abjuration. While their attachment to the proteſtant ſucceſſion was unſuſpected, they profeſſed a conſcientious ſcruple about ſubmitting to an oath, which was ſuperfluous, becauſe the purpoſe of it was anſwered by the oath of allegiance; and which was inſnaring and captious, becauſe it referred to arguments extremely controvertible; and implied an approbation of certain acts of parliament inconſiſtent with preſbyterian principles [51]. The greater number of the clergy at length took the oath,

[50] Sermons of the Times. Queries to the Scots Innovators. If any of the miniſters conformed, in any point, to the example of the epiſcopalians, ſuch as by repeating the Lord's prayer verbatim; or if they omitted to introduce, occaſionally, proteſtations againſt the corruptions of prelacy, they fell under the ſuſpicion of being concealed friends to its intereſt. From the foſtering of theſe prejudices, ſometimes conſcientiouſly, and ſometimes from a mean ambition for popularity, the lower ranks in Scotland hardly knew any diſtinction between prelacy and popery; and even many of better education conſidered the former as removed, but in a ſmall degree, from the corruptions of the latter. Pamphlets and information by perſons of reſpectable character who lived in the period referred to.

[51] The acts of parliament referred to obliged the ſucceſſor to the crown to be of the communion of the church of England; and ſome of the miniſters thought, that taking the oath implied an approbation of that communion. This act was the firſt of the parliament of Britain that affected the ſtate of the clergy, and was conſidered as an ungracious omen of its future interference. The obeying it was conſidered as a recognition of the authority of the Engliſh biſhops, which was contrary to the principles of the preſbyterians. The phraſes of the oath were new and offenſive; by *ſoul*, *conſcience*, *faith*. The oath involved the takers of it in the intricate queſtion about hereditary right. They had no ſcruple to acknowledge the ſole and excluſive right of the proteſtant ſucceſſor; but it could not be denied that, in the act of ſettlement, the parliament had reſpected blood and deſcent. Letter concerning the Oath of Abjuration. Edin. 1712.

The perſons who now directed affairs were aware that many of the Scottiſh clergy would not take the oath, and urged the clauſe the more on that account, that it might prevent their cenſuring the officers of government for not executing the laws againſt the nonjuring clergy of the epiſcopalian communion. Memoirs of the Four Laſt Years, p. 226. 243.

The forbearance of the government with the miniſters, who did not take the oath, was a great means of reſtraining their oppoſition to the law of patronage. Such of them as were diſſatisfied with that law generally declined taking the oath, and were afraid that a farther oppoſition to the meaſures of government would

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oath, in compliance with the authority of government; but many ſtood out againſt it; and this gave riſe to inſidious diſtinctions among the clerical order, and probably would have occaſioned a ſchiſm in the church, if the ſervants of government had not, with a prudent tenderneſs, abſtained from the rigid execution of the law.

13th March, 22d May.

Another act, which alſo paſſed in the courſe of this ſeſſion, reſtoring to patrons their ancient right of preſenting preachers to vacant churches in Scotland, was conſidered as a farther proof of the hoſtility of the preſent miniſters to preſbytery. The inveterate antipathy of the people in Scotland to the law of patronage became ſtronger, from an apprehenſion that the renewal of it aroſe from a deep concerted ſcheme to undermine the preſent eſtabliſhment; for, as a great proportion of preſentations belonged to the crown, and to landed gentlemen of the epiſcopalian perſuaſion, it was ſuſpected, that both would prefer candidates ſecretly favourable to their own ſentiments, which, in progreſs of time, would render a majority of the incumbents ripe for the adoption of epiſcopacy [52]. Theſe ſuſpicions were

31ſt May, 17th June.

increaſed by her majeſty's beſtowing the rents of the late biſhops lands in North Britain, for the ſupport of ſuch of the epiſcopalian

22d May.

clergy as conformed to the government; and by an act repealing

1690.

one of the Scottiſh parliament, which diſcharged the Yule vacance, or the obſervation of Chriſtmas as a holiday [53].

Other

would expoſe them to the vengeance of the law. Boſton's Life. Information from reſpectable perſons who lived in the period referred to.

The nonjuring miniſters looked with an evil eye upon thoſe who took the oath, and diſcontinued all official intercourſe with them, which occaſioned an overture to the next general aſſembly, to take away and diſcharge all diſtions on account of theſe oaths.

[52] A petition from the commiſſion of the general aſſembly was preſented to the lords againſt this act. It was at firſt addreſſed to the peers of Great Britain, without naming the biſhops; but this being informal, and offenſive on account of its reflecting obliquely on the ſecular power of the biſhops, it was withdrawn, and the deſignation of *the lords ſpiritual* inſerted. Journals Lords, 9th, 11th, 12th April. The principal argument contained in the petition was plauſible, namely, that the act 1690, which aboliſhed preſentations, had been ratified by the act ſecuring the preſbyterian government, and engroſſed as an eſſential condition in the treaty of union.

[53] As a contempt of holidays was a diſtinguiſhing criterion of the Scottiſh preſbyterians, this act gave great offence to the populace,

and

Other reaſons, aſſigned for the reſtoration of patronage, ſuggeſt a more candid conſtruction of the motives of the miniſtry; and a ſufficient ground for believing, that an alteration in the mode of ſettling vacant pariſhes, eſtabliſhed by the act 1690, was highly expedient, to prevent diſturbances and diviſions among the ſupporters of the different candidates, which were injurious to the peace of the country, and the intereſts of religion [54].

A bill was preſented in the houſe of lords, in conſequence of the royal recommendation, for ſettling the precedency of the princeſs Sophia, and the electoral prince of Hanover, which, in teſtimony of reſpect to that illuſtrious family, paſſed through both houſes with the utmoſt diſpatch. 17th Jan.

The repeal of the naturalization act, which had been prevented by the lords the preceding ſeſſion, was now obtained [55]; and, while it was conſidered as a party triumph by the Tories, gave great ſatisfaction to the Jacobites, who believed, that the ſucceſſion of the elector of Hanover depended, in a great meaſure, upon the importation of foreign troops, who, as the law formerly ſtood, would have been naturalized upon their arrival in England [56]. 9th Feb.

The houſe of commons, in compliance with her majeſty's recommendation, entered into reſolutions for reſtraining the licentiouſneſs of the preſs; they impoſed a heavy tax upon pamphlets, and required, under ſevere penalties, that none ſhould be expoſed to ſale without the name and place of abode of the perſon for whom they were publiſhed [57]. 12th Feb. 21ſt April, 3d June. 12th.

Bills

and was conſidered as expreſſive of the hoſtility of the miniſters to the eſtabliſhed religion of Scotland.

[54] Extract of a Letter from Edinburgh. Political State, vol. iii. p. 162. Minutes of the General Aſſembly.

[55] The French refugees had taken an active part in the Weſtminſter election 1710, for general Stanhope, in oppoſition to Mr. Croſs, which provoked the reſentment of the Tories. Political State, vol. i. p. 17.

[56] Memorial of Sieur Lamb, April 1711. Stewart Papers. Macpherſon.

[57] Statutes at Large, vol. iv. chap. 19. Articles 101. 112. 113. The licentiouſneſs and perſonal abuſe, which iſſued from the preſs ſince the change of the miniſtry, exceeded any former precedent. At the commencement of this ſeſſion, the publications againſt the peace made ſuch an impreſſion upon

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Bills were brought into parliament in the courſe of this ſeſſion, for limiting the number of perſons in office in the houſe of commons; and for preventing fraudulent conveyances for the purpoſe of multiplying votes, and many irregular and corrupt proceedings in elections: but whether it was, that the miniſters were not in earneſt, or found that they were aiming at a pitch of reformation too refined for the times, none of theſe were brought to effect. Oſtentatious, but ineffectual attempts were likewiſe repeated for recalling king William's Iriſh grants; and a bill for this purpoſe paſſed in the houſe of commons, but it was rejected by the lords [58].

23d Feb.

3d May.

20th.

The

upon the public, that the miniſters began to be afraid of the tide of popularity turning againſt them. On the 23d October, being the firſt day of the term, fourteen bookſellers, printers, or publiſhers, who had been committed by warrants from the ſecretary of ſtate for ſeditious pamphlets, appeared at the bar of the queen's bench.

The frauds and abuſes of the ſervants of government, and the treachery of the allies, which were opened without any reſerve or palliative in the courſe of this ſeſſion, gave a new direction to the public ſentiment, and again made the late miniſters the objects of popular odium.

The preſent miniſters derived great advantage from the ſuperior abilities of the authors engaged in their ſervice. Among theſe, the celebrated Dr. Swift was the moſt diſtinguiſhed for preciſion in his ſtatement of facts; perſpicuity of language; acrimonious animadverſion, and force of reaſoning. His pamphlet upon the conduct of the allies was read by all ranks with the utmoſt avidity; and not only produced conviction, but excited a general indignation againſt the late miniſters and the allies. It paſſed through ſeven editions; and eleven thouſand copies were ſold in leſs than a month. Life of Swift, p. 91.

The maſterly pen of Mr. St. John, who compoſed all the public ſtate papers, was alſo employed in the polemical publications on the ſide of the miniſters; and conferred upon them a dignity and intereſt ſeldom found in publications of that nature.

The humorous Dr. Arbuthnot, in the Hiſtory of John Bull, defended the miniſterial cauſe in a ſtrain of ridicule obvious to every capacity; and which, though it may not be a fair teſt of truth, affords no deſpicable aſſiſtance, when employed on its ſide, by alluring and amuſing the multitude of readers, who are incapable of inveſtigating facts, and deducing concluſions from them. While he lampooned the allies without mercy, he gained the hearts of the Engliſh by concealed, but not leſs ſucceſsful flattery, as if they could be cheated and deceived only from an exceſs of good-heartedneſs and generoſity. Mr. Prior, Dr. Friend, Defoe, Abel Roper, Mr. Clements, Mr. Oldſworth, and Mrs. Manley, the author of the Atlantis, were all writers on the ſide of adminiſtration. Mr. St. John himſelf alſo wrote occaſionally in the Poſt Boy, and the Examiner. The principal writers, on the other ſide, were Richard Steele, Biſhop Kennet, Dr. Hare, Mr. Addiſon, Henley, Maynwaring, Oldmixon, and Ridpath.

[58] It was intitled, "A Bill for appointing Commiſſioners to examine into the Value of all Lands, and other Intereſts, granted by the Crown ſince 13th February 1688, and upon what Conſiderations they had been made." The miniſters were not unfriendly to the bill, but the whole weight of the oppoſition was againſt it. It was believed, that the ſupporters

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The ſupplies granted this ſeſſion amounted to three millions, one hundred and thirty-four thouſand, eight hundred and twenty-nine pounds, two ſhillings; of which ſum five hundred and thirty-five thouſand, three hundred and thirty-two pounds, one ſhilling, was to be applied to make good, for ſervices of the navy, the like ſum, which in the year commencing from Chriſtmas 1711, was to be paid by the treaſurer of the navy to the South Sea company, and two thouſand five hundred pounds for building a church for the uſe of the Engliſh proteſtants at Rotterdam. 18th Jan. 19th March.

It was intimated to the emperor, that, agreeably to the propoſal made by prince Eugene in his name, her majeſty conſidered herſelf obliged to pay no more than one-third of four millions for carrying on the war in Spain [59].

Since the opening of the congreſs at Utrecht, the opinions of the people had been in a conſtant fluctuation, with reſpect to the great affairs agitated in it, and their wiſhes had alternately inclined to peace or war [60], according to the nature of circumſtances which came within their knowledge. The diſcovery of the ſelfiſh and faithleſs conduct of the allies excited indignation, and promoted a general deſire for peace. The inſolent behaviour of the French king, and the extravagant terms inſiſted upon by his plenipotentiaries in the progreſs of the treaty, ſoftened that indignation; and again reconciled them to the continuance of the war. The unaccountable inactivity of the duke of Ormond, after the opening of the campaign, was mortifying to thoſe who recollected how much the pride of Engliſhmen had been gratified by the uninterrupted victories of his illuſtrious predeceſſor; and who were jealous of the fruits of this ſucceſs being thrown away by a precipitate treaty with France. In conformity to theſe ſentiments out of doors, a motion was made 28th May.

porters of the bill had no other intention than that of taxing the grants with about three years purchaſe, and eſtabliſhing the grantees in the poſſeſſion for ever, which would have been better for them than having their titles called in queſtion from time to time. Hiſtory of the Four Laſt Years, p. 238.

[59] Journals Commons, paſſim.

[60] Cunningham, vol. ii. p. 413.

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in both houſes for addreſſing her majeſty, to lay before them the orders ſhe had ſent her general; and to direct him to act offenſively in conjunction with the allies; but, upon aſſurance from the miniſters, that ſhe intended, voluntarily, to communicate to them the ſtate of the negotiations, and the conditions upon which peace might be obtained, the motion was negatived by a great majority [61]. In compliance with her promiſe, the fulfilment of which was impatiently expected, her majeſty came to the houſe of lords, and ſtated to parliament thoſe articles of peace which had been agreed upon between her and the French king, ſo far as related to the intereſt of England; and ſhe promiſed her beſt endeavours for procuring ſatisfaction to her allies. An addreſs of thanks to her majeſty was voted in both houſes; but the terms of peace mentioned by her, falling ſo much ſhort of expectation, occaſioned a general depreſſion and diſcontent; and, if the parliament had continued to ſit, muſt have afforded oppoſition new grounds for arraigning the meaſures of miniſters [62]. The few remaining days of the ſeſſion were dedicated to the cenſuring of ſuch publications, as reflected upon the conduct of the latter, probably with a view to check that torrent of abuſe which was about to be let looſe againſt them upon the approaching vacation; and on the 21ſt June, her majeſty, after a ſhort ſpeech, directed the lord keeper to adjourn the parliament [63].

The proceedings of the convocation, during this ſeſſion, were as little intereſting as in that which preceded it. A motion was made in the lower houſe for cenſuring a ſermon upon the remiſſion of

[61] A proteſt by the lords who had ſupported this motion was printed and circulated with great induſtry; upon which it was expunged from the journals 13th June; and an addreſs was preſented to the queen, 14th June, praying that ſhe would direct ſuch methods as ſhe thought proper for diſcovering and puniſhing the printer.

[62] Political State, vol. iii. p. 336.

[63] A preface to four ſermons publiſhed by the biſhop of St. Aſaph, reflecting on the preſent adminiſtration of public affairs, was cenſured by the commons 10th June, and ordered to be burnt by the hands of the common hangman; and, the ſame day, the letter from the ſtates-general to the queen being read, the commons made the reſolutions mentioned.

ſins,

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ſins, publiſhed by Dr. Brett, which ſeemed to carry the pretenſions of the Engliſh church upon that point, as far as thoſe of Rome; but it was over-ruled by the high church party, which, without avowedly defending the ſermon, diſcovered a ſtrong inclination to admit every imaginable apology for the preacher and his doctrine. In the ſame ſpirit, the lower houſe declined to concur with the biſhops, in admitting the validity of baptiſm, adminiſtered by proteſtant clergymen, who were not of their communion. The purpoſe of the biſhops was to control that propenſity for reviving obſolete and arrogant claims of eccleſiaſtical authority, which, ſince the triumph of the high church party in the affair of Sacheverel, began to ſpread among men of a violent ſpirit; and gave juſt alarm to the enlightened friends of religion and the church [64].

After the riſe of parliament, many addreſſes were preſented to the queen, expreſſing an ardent deſire for peace; and ſome of them even approving of thoſe conditions which were moſt exceptionable and unpopular [65].

During the continuance of the ſeſſion, the miniſters were under a conſtant dread of the current of popular opinion being turned againſt them; and even of violence being offered to their perſons in conſequence of the reſentful machinations of the Whigs. The diſmiſſion of the duke of Marlborough, it has been aſſerted, did not ariſe from imaginary apprehenſions, or from a calculation of the probable effects of his weight in the ſcale of oppoſition, but from the cleareſt evidence of criminal deſigns againſt the government, which he was then purſuing in combination with the whig leaders, and the agents of the allies. It has been repreſented, that the whig junto, finding all open endeavours to obſtruct the peace ineffectual, had, in concert with count Gallas, de Buys, and baron Bothmar, entered into a conſpiracy to place the elector of Hanover immediately upon the throne; that to pave the way for this, he ſhould be

[64] Political State, vol. iii. p. 104. 189.

[65] Id. vol. iii. p. 366.

placed

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placed at the head of the Imperial army; that the duke of Marlborough, if continued in the command of the Engliſh troops, ſhould draw together two or three thouſand men to the neighbourhood of the metropolis, and make himſelf maſter of the perſon of the queen, while an inſurrection of the mob was to be encouraged upon
4th Nov. the anniverſary of the gunpowder plot, when it was intended to burn the effigies of the devil, the pope, and the pretender. This plan having been rendered abortive by the vigilance of the magiſtrates, a new inſurrection was projected upon the queen's birth-
4th March. day, which afforded a leſs ſuſpicious occaſion for aſſembling the people. Another plan for the ſame purpoſe is alſo ſaid to have been agitated. A few deſperate perſons, devoted to the Whigs, were inſtigated to begin miſchief in the way of nocturnal frolic, to be gradually improved into ſanguinary violence, and directed againſt the leading men in adminiſtration. Prince Eugene was invited to London for the purpoſe of abetting conſpiracy; and, after his arrival, diſcovered an inclination to go beyond the violence of his friends. For he propoſed to ſet fire to the metropolis in different places; and that in the midſt of the confuſion, the duke of Marlborough ſhould appear at the head of a party in arms; poſſeſs himſelf of the tower, the bank, the exchequer; ſeize the perſon of the queen, diſſolve the preſent parliament, and call a new one to inquire into the treachery of the miniſters.

Theſe ſeveral facts, though confidently aſſerted both by earlier and later hiſtorians [66], are not ſupported with ſufficient evidence to induce the belief of any perſon, diſengaged from the influence of party prejudice. The apprehenſions of the tory miniſters, concerning the violent proceedings of their antagoniſts, before they were even ſuppoſed to exiſt, inclined them to put the worſt conſtruction upon the conſultations and intrigues of the Whigs after they actually hap-

[66] Torcy, vol. ii. p. 205, paſſim. Annals p. 175. Poſt Boy, November 8th. Mac-Anne, p. 278. Political State, vol. iii. pherſon, vol. ii. p. 477.

pened;

pened; and, upon frivolous proofs, to accuſe them of the moſt atrocious deſigns. In every party, individuals are to be found, who are capable of conceiving and recommending the moſt deſperate projects to forward their own ambitious views; and when ſuch have tranſpired, it is too common to implicate, in their guilt, perſons of more reſpectable character, with whom they have been politically connected[67].

The

[67] We are informed by Meſnager that the nobleman, who began the private conferences with him about the peace, expreſsly required, that the French king ſhould bind himſelf by a ſecret article to aſſiſt the queen and her miniſters, in caſe of any violence being offered to their perſons by the inſtigation of her diſaffected ſubjects. From a compariſon of dates, it is evident that this converſation took place ſeveral months previous to the projected conſpiracies mentioned by Torcy, Plunket &c. Meſnager, p. 166. Torcy, vol. ii. p. 205.

The evidence of theſe conſpiracies reſts entirely upon the teſtimony of de Torcy, of Plunket, who was the confident of count Gallas, but afterwards employed as a ſpy by the miniſters; and of ſome anonymous letters contained in Macpherſon's Collection of State Papers. Torcy, vol. ii. p. 205. 208. 221. 261. 272. Stuart Papers, 1712. Political State, vol. iv. p. 292. 329, &c.

De Torcy, and the correſpondents of the court of St. Germains, derived all their information from the partial, inflamed accounts of miniſters; and therefore the facts which they have tranſmitted may be queſtioned, though their perſonal integrity ſtands unimpeached. This obſervation is juſtified by the expreſſions of de Torcy, which indicate a diſtruſt of the authority from which he received the facts he recites. "If we can depend upon the rela-" tions of ſome people who perhaps were " miſinformed," &c. Torcy, vol. ii. p. 273. " Again. The miniſtry received advices of " real, or fictitious plots," &c. " Theſe ad-" vices perhaps were groundleſs." Id. p. 277.

Among the number of perſons inſtigated by reſentment againſt the miniſters, it is not ſurpriſing that projects, of a ſanguinary nature, were propoſed by ſome, which were generally abhorred and reprobated by the party. That this was actually the caſe, appears from the teſtimony of the hiſtorian already alluded to, who gives credit to the whig leaders for having diſapproved of thoſe ſchemes of violence which were ſuggeſted by ſome of their partiſans. Torcy, vol. ii. p. 274.

The information of Plunket was derived from count Gallas, at that time forbidden the court, and inſpired with the moſt violent reſentment againſt the tory miniſters. He ſpoke from paſſion; communicated to his friend, for ſuch he believed him to be, his own wiſhes and ſchemes; and, probably, without warrant, repreſented his aſſociates as acceſſory to them; or at leaſt Plunket might do ſo, to acquire greater conſequence and merit with his employers.

The miniſters themſelves ſeem to have diſtruſted the evidence againſt their antagoniſts, ſo far as it related to their having entered into criminal conſpiracies, notwithſtanding their pretending to believe it, and their taking meaſures for preventing them. The earl of Oxford, to whom Plunket revealed his diſcoveries, oppoſed his being examined by the privy council. Macpherſon, vol. ii. p. 483. What reaſon can we poſſibly aſſign for this conduct, when the ſubject was of ſuch moment, but either his ſuſpecting that his informer would not have adhered to his teſtimony, or that it was not deſerving of credit?

As the miniſters had no inclination, neither could

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The campaign 1712 was on the part of England a piece of ſtudied diſſimulation, diſhonourable for the miniſtry, and inſulting to the allies. The inſtructions given to the duke of Ormond, upon his departure to the continent, were, to communicate, to the ſtates, the queen's reſolution of preſſing the war with all poſſible vigour; and to concert proper meaſures with the generals of the allies for entering upon action. He had no ſooner done this, than he received other inſtructions, which amounted almoſt to a prohibition from fighting. Within a few poſts after, the ſame orders were repeated with an extenſion of his command over all the troops in the Britiſh pay; and he was at length explicitly enjoined to take no part whatever in any ſiege or battle[68].

It is impoſſible to conceive a ſituation more embarraſſing and diſtreſsful to a man of honour and ſenſibility, than that in which the duke of Ormond was now placed. By his public commiſſion, he was empowered to co-operate with the allies, and, by his private inſtructions, he was reſtrained from rendering them any effectual aſſiſtance. He was to employ every artifice and pretext to conceal, from prince Eugene, his reſolution not to act, and at the ſame time to make intimation of it to the French general, that the latter might not infer any danger from hoſtile preparations on the part of Eng-

could they have a ſolid reaſon for concealing any thing that redounded to the diſcredit of their enemies. They were at the greateſt pains to exaggerate the accounts of the Mohawks; one of the devices ſaid to have been contrived for their deſtruction. But, notwithſtanding of proclamations and premiums offered for diſcoveries, and examinations conducted with the eager deſire of bringing them to effect, the ſtory of the Mohawks remained ſo bare of evidence, that it never gave any alarm, or gained any credit, but among the miniſterial partiſans. The believing, or not believing, in their exiſtence, was the criterion of a man's being a Whig or a Tory. Why ſhould the tory miniſters have laboured to propagate a ſtory, to the diſhonour of the Whigs, that had not the ſhadow of truth, if they had been poſſeſſed of facts, ſuſtained by proofs, which would have overpowered all ſcepticiſm, and put their enemies to confuſion? Political State, vol. iii. p. 175. Spectator, N° 324. 347. Swift's Letters to Mrs. Johnſon, 9th, 12th, 17th, 18th, 26th March 1712.

[68] Inſtructions to the Duke of Ormond, 12th April. Letters from Mr. St. John to the Duke, 25th April, 12th May, &c. After the diſmiſſion of the duke of Marlborough, prince Eugene was appointed commander in chief of all the troops in the ſervice of the United States.

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land[69]. This deceitful dealing could not long eſcape the penetration of the allied general. He was determined to put his colleague to the teſt, by propoſing a joint attack upon the French camp. The ſuſpicions of prince Eugene and the deputies were confirmed by the duke's declining to comply with this propoſal, upon the pretext of waiting for letters from England; and by the palpable remiſſneſs of Villars; who uſed no precautions adequate to the apparent danger of his ſituation[70]. The prince and deputies now preſented a memorial to the duke, complaining of his inactive, incomprehenſible conduct, and peremptorily demanding the immediate ſervice of all the troops in the joint pay of England and Holland. This demand the duke could not, with any ſhadow of juſtice, evade; but while he profeſſed to comply with it, he took care to communicate to the French general ſuch an explanation of his conduct, as might exculpate the miniſters from the charge of any deviation from thoſe amicable diſpoſitions, which they had ſecretly announced to the French king[71]. All occaſion for hypocriſy and diſguiſe was at length ſuperſeded by orders from England, to proclaim a ſuſpenſion of hoſtilities during the ſpace of two months, to which the allies were invited to accede; while the duke was directed to march, with all the troops in the pay of England, to take poſſeſſion of Dunkirk, as an earneſt of approaching peace.

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1712. 29th May.

17th July.

[69] Letters from Mr. St. John, 25th May. Conduct of the Duke of Ormond, p. 11, 12. 14. 20, 21. 46. Lord Hardwicke ſays, that lord Bolingbroke aſſured a late great miniſter, that queen Anne herſelf, in council, propoſed the reſtraining orders ſent to the duke of Ormond; and lord Bolingbroke farther inſinuated, that this advice had been ſuggeſted wholly by lord Oxford, and that he had this anecdote from the perſon to whom lord Bolingbroke told it. Hardwicke's Collection, vol. ii. p. 482.

Lord Oxford, in his anſwer to the 9th article of impeachment, agrees with the firſt part of this account; and inſinuates, that the reſtraining orders flowed entirely from the motion of the queen. Hiſtory of Impeachments, p. 287.

[70] Hiſtory of the Four Laſt Years, p. 297. A few days only intervened between the iſſuing theſe contradictory orders; the former being dated 12th, and the latter 25th May, and 10th June. Examination of the Conduct of the Duke of Ormond. Lond. 1712.

[71] Hiſtoire de Hollande. Tindal, vol. ix. p. 294.

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The Dutch and Engliſh ſoldiers were filled with indignation upon hearing theſe orders [72]. The mercenaries abſolutely refuſed to obey the duke of Ormond; and ſome of the towns, belonging to the States, denied admittance to the Engliſh in the progreſs of their march. After expoſtulation and threats, the Dutch were at length prevailed upon to drop their oppoſition, and the duke, attended by the Engliſh and a ſmall part of the foreign troops, purſued his march

23d, 24th July. to Ghent and Bruges, from whence he ſent a detachment to reinforce the Britiſh garriſon already arrived at Dunkirk [73].

In the mean while prince Eugene perſevered in carrying on an offenſive war, by ſending detachments into Champaigne to lay waſte the country; and laid ſiege to Quefnoy, which ſurrendered to him 19th July [74].

This was the ſum and concluſion of the ſucceſs of the allies. Marſhal Villars began his career of proſperity with a victory over one of

24th. their largeſt detachments, under the command of the earl of Albemarle, which was encamped at Denain, for the purpoſe of keeping open the communication between the confederates employed in the ſiege of Landrecy, and their magazines at Marchiennes. About two thouſand of the allies fell by the ſword, or periſhed in the Schelde, and as many were made priſoners [75].

This was a prelude to the rapid and uninterrupted ſucceſs of the arms of France. The poſts of Mortaign, St. Amand, fort Knoque

[72] Prince Eugene was followed by all the Danes, Pruſſians, Saxons, Hanoverians, and other auxiliaries in the Britiſh pay, except four ſquadrons of Vandernath, and a battalion of Berner, of the troops of Holſtien Gottorp, and baron Walef's regiment of dragoons. Tindal, vol. ix. p. 378.

Upon the duke of Ormond repreſenting theſe circumſtances, brigadier Hill was ſent off with troops from England, 6th July, to take poſſeſſion of Dunkirk. Political State, vol. iv. p. 23.

[73] London Gazette.

[74] Tindal, vol. ix. p. 363.

[75] Berwick, vol. ii. p. 141. The French general anticipated certain ſucceſs upon the withdrawing of the Britiſh troops, not only on account of its weakening the force of his enemies, but becauſe the many defeats the French had ſuſtained in the courſe of the war had been principally aſcribed to the ſkill of the Britiſh generals, and the courage of their men. Hiſtory of the Four Laſt Years, p. 345.

and Marchiennes, where the allies had one of their beſt furniſhed magazines, fell into the hands of the enemy. The army of prince Eugene was now cut off from proviſions, and daily mouldering away by deſertion, which obliged him to raiſe the ſiege of Landrecy. Douay, Queſnoy, Bouchain, Landau, and Friburg, were all retaken [76]. CHAP. XIX. 1712.

Philip, having a near proſpect of obtaining the whole kingdom of Spain by negotiation, was not inclined to proſecute active hoſtilities during this campaign. As the court of Portugal, at the commencement of the treaty of Utrecht, concurred with the emperor and the States to fruſtrate its ſucceſs, a conſiderable force, under the command of the marquis de Bais, was ſent to inveſt Campo Major, a ſtrong fortified town on the frontier of Alentejo; but it was defended with ſuch bravery, that the marquis found it neceſſary to raiſe the ſiege after having loſt a great number of men. The object of the attack was however anſwered, and the court of Portugal, alarmed by the irruption of their enemies, when their means of defence were diminiſhed by the departure of the Engliſh auxiliaries, ſent inſtructions to their plenipotentiaries at Utrecht to agree to a ſuſpenſion of arms after the example of England [77]. 29th Oct. 7th Nov.

In Italy the Imperialiſts took Porto Hercule. In Dauphiny and Savoy the armies did not come to an engagement. On the Upper Rhine, the Imperial general failed of his deſign to penetrate into Alſace.

The emperor, confiding in the acceſſion of his ſtrength from having made peace with his Hungarian ſubjects, had reſolved to ſtand alone againſt the power of France; he was afterward convinced of his inferiority by the loſs of Landau and Friburg, and liſtened to overtures of peace, which was concluded at Ranſtadt 6th May 1714 [78].

[76] Quincy.
[77] Political State, vol. iv. p. 274.
[78] Hiſtoire de Louis, tom. vi. p. 552.

CHAP. XX.

The Conferences opened at Utrecht—Interrupted—Privately carried on between the Engliſh and French Plenipotentiaries.—The States prevailed upon to renew the Conferences, which are again interrupted.—The Continuance of the War urged at the Aſſembly of the States General.—The French King inſiſts upon the Reſtoration of Tournay, which is oppoſed by the Engliſh.—The Events of the Campaign induce the States to acquieſce in the Terms of Peace.—New Objections raiſed to it on the Part of France.—The Treaty ſigned by all the Confederate Miniſters except the Emperor's.—Review of Circumſtances unfavourable to the Allies at the Commencement, and during the Progreſs of the Treaty.—The Terms of it as affecting the Intereſts of the ſeveral confederate Powers conſidered.—Cauſes of the Delay of Peace with Spain.

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THE conferences upon the treaty of peace were opened at Utrecht on the 12th January 1712; but no eſſential buſineſs was tranſacted till the arrival of the German miniſters on the 29th of that month [1]. The Dutch plenipotentiaries then propoſed to

[1] Political State, vol. iii. p. 78, &c. The plenipotentiaries for England, were Dr. Robinſon, lord privy ſeal, the earl of Strafford, and Mr. Henry Watkins ſecretary. For the emperor, count Zinzendorf, the ſieur Conſbruck, and count Corſana. For France, the marſhal d'Huxelles, the abbot de Polignac, and monſieur Meſnager. For king Philip, the duke d'Oſſona, count Bergeick, and the marquis de Monteleon. Holland had two, and all the reſt of the United States, one miniſter preſent at the congreſs. Miniſters alſo attended, not only for all the other princes and ſtates who had acceded to the alliance, but for the neutral powers, and for the French refugees. Eight miniſters of the allies, namely, the two Britiſh, four of the States General, two of the duke of Savoy's, and the three French plenipotentiaries, were preſent at the firſt conference.

Mr. St. John had warmly recommended Mr. Prior to be joined in the commiſſion with the earl of Strafford and the lord privy ſeal; but the former threatened to lay down his commiſſion rather than to be aſſociated with a perſon who had been in a mean condition. Mr. Prior was the ſon of a joiner of a reſpectable character, but having loſt his father while an infant, he was educated by an uncle, a vintner at Charing-croſs, and hence the ſtory of his having been originally a waiter in a tavern. Letter of Mr. St. John to the Queen, 20th Sept. 1711. Humphrey's Life of Prior. Mr. Prior notwithſtanding was much conſulted, as he had been employed ſeveral years before as ſecretary to an embaſſy in Holland, and had an intimate knowledge of affairs there. MSS. Characters, p. 214. He afterwards attended lord Bolingbroke to France, Sept. 1712, and was left by him to treat about ſuch matters as were ſtill unſettled, though he did not aſſume a public character till lord Shrewſbury's arrival. Prior's Hiſtory, p. 364. Lond. 1740.

begin

begin with thoſe points, which had been left unſettled when the negotiations broke up the preceding year at Gertruedenberg; but the French miniſters abſolutely rejected this, and delivered a ſpecific explanation of the offers, upon which their maſter was willing to conclude a general peace. Theſe differed ſo widely, not only from the plan inſiſted upon by the allies in 1709 and 1710, but from the voluntary conceſſions then made by France, that they were received with a marked diſſatisfaction by all their miniſters[2]. The imperial plenipotentiary immediately entered a proteſtation againſt them[3]; and upon their tranſpiring in England, the houſe of lords, in conformity to the general temper of the nation, preſented the addreſs mentioned in the preceding chapter. 16th Feb.

After various conſultations among the confederate miniſters, in which their mutual and ſeparate intereſts were adjuſted, it was at length agreed, that their reſpective demands ſhould be ſtated in diſtinct memorials, to be preſented at the next general meeting of the congreſs, on the 5th of March[4]. The French plenipotentiaries, in their turn, affected ſurpriſe at the extravagance of the terms ſpecified by the allies, and declined any farther diſcuſſion till they had an opportunity of receiving new inſtructions from the courts of Paris and Madrid[5].

After waiting for advice from thence till 30th March, the negotiations were reſumed, when a new difficulty aroſe, which long retarded their progreſs. The Dutch and Imperial ambaſſadors inſiſted, that the demands and anſwers of the ſeveral parties ſhould be committed to writing; and the French refuſed to comply till they received authority for that purpoſe from their conſtituents. Both contended for the advantages of the methods which they ſeverally

[2] Inſtead of reſtoring the Spaniſh monarchy to the houſe of Auſtria, no poſitive engagement was offered for preventing the union of the French and Spaniſh monarchies; and Liſle and Tournay were demanded for the demolition of Dunkirk. Hiſtory of the Treaty, p. 232. Lond. 1713.

[3] Id.

[4] The emperor and the king of Portugal alone inſiſted upon ſurrendering the whole Spaniſh monarchy to the houſe of Auſtria.

[5] Political State, vol. iii. p. 185.

propoſed;

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propoſed; and neither yielding to the other, the conferences were diſcontinued for three months[6].

The court of England was perhaps the only party concerned, that ſeriouſly regretted this pauſe in the negotiations. The emperor and the States were ſecretly pleaſed with every obſtruction to a buſineſs which ſet out with ſuch an untoward aſpect for them, while it was precipitated by that party in England which they had laboured to diſplace. The emperor was determined to maintain his pretenſions to the Spaniſh monarchy: the Dutch were diſſatisfied with the repeal of the barrier treaty, and jealous of the commercial advantages which the court of England had ſecured by her complaiſance to king Philip[7]. Nor was the French king, after he had once fixed the buſineſs of negotiation, at all deſirous to haſten its concluſion. He was no ſtranger to the animoſities ſubſiſting among the allies, which, in proportion as the negotiation was protracted, were likely to divide them more and more, and enable him to obtain better terms than thoſe previouſly held out by his agents to the Britiſh cabinet.

No ſooner was the campaign opened, than the allies began to grow ſuſpicious of the fidelity of England; but the influence of prince Eugene, who urged the proſecution of offenſive war with the utmoſt confidence of ſucceſs, the infirm health of the queen, and the approach of a new parliament, events propitious to the reſtoration of the Whigs, ſtill cheriſhed the hopes of the States, and confirmed

[6] Hiſtory of the Treaty. The Engliſh plenipotentiaries were inclined to agree to the method propoſed by the French, but were over-ruled by their colleagues. Hiſtory of the Impeachments of the laſt Miniſtry. By the minutes of the protocol, to which the French miniſters appealed, they were under no obligation to comply with this requiſition.

[7] In order to induce the States to enter cordially into the treaty, her majeſty was willing to reſign the fifteen per cent. advantage upon Engliſh goods, ſent to the Spaniſh dominions, which the French king offered her in name of his grandſon. Hiſtory of the Four Laſt Years of the Queen. The States inſiſted upon having an equal ſhare with England in the aſſiento trade, as the condition of their conſenting to king Philip's retaining the Spaniſh monarchy. The Preſent Miniſtry Juſtified. Somers, vol. ii. p. 88. Account of the ſeveral Treaties of Peace. Journals Com. 14th April 1714.

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1712.

their reſolution to wait the iſſue of the campaign, rather than to cloſe with offers ſo much inferior to thoſe which they had formerly rejected [8]. The ſtrange conduct of the duke of Ormond in firſt delaying, and afterwards refuſing to co-operate with the allied arms, the ſurrender of Dunkirk, and the ſubſequent armiſtice, agreed to by England and France, gave occaſion to expoſtulations and remonſtrances, which ſtill farther widened the breach between the confederates; and, by encouraging the inſolence of the French king, retarded the progreſs of the treaty [9]. 7th July.

Notwithſtanding the averſion of the emperor and the States to peace, and their endeavours to thwart it, the negotiations were ſtill carried on between the French and Engliſh miniſters [10]. To prevent the union of the French and Spaniſh monarchies, to procure the kingdom of Sicily for the duke of Savoy, and a barrier for the States, were the principal articles under diſcuſſion at theſe detached conferences, which were held during the continuance of the campaign. Although the ſeparation of the French and Spaniſh monarchies had been underſtood as a preliminary condition ſettled between the courts of France and England, antecedent to their inviting the allies to take a part in the negotiations, yet the French king now began to evade it, by raiſing objections which he pretended it was impoſſible for him to remove. He ſuggeſted, with an air of candour, that the ancient laws of France had provided againſt any reſtriction to the royal ſucceſſion; and he wiſhed the court of England to be aware that no deed of his own could be valid for that purpoſe [11]. The difficulty of bringing king Philip to acquieſce in a point, ſo intimately connected with the aggrandizement of his family, was farther inſiſted upon as an apology for the French king's

[8] Hiſtory of the Four Laſt Years, p. 286—291.

[9] Tindal, vol. ix. p. 296.

[10] To remove the offence to the allies, occaſioned by this intercourſe, it was given out, that theſe conferences referred merely to a commercial treaty. Torcy, vol. ii. p. 294.

[11] Torcy, vol. ii. p. 286, 7, 8—292. The French court was ſo averſe to the renunciation, that if the ſucceſs at Denian had happened ſooner, they probably would not have conſented to it. Duclos, vol. i. p. 51—54.

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hesitating about a stipulation, which the English ministers considered him as bound in honour to make good. They now found it necessary to assume a tone of firmness and decision, very different from that facility and complaisance which they had discovered in their early correspondence with the court of France [12]. Maintaining the balance of power was the primary object of the grand alliance: if the danger, with which it was threatened, from the near but transient affinity between the sovereigns of France and Spain, had been deemed a justifiable ground for entering into the war, what had they not to fear from the permanent junction of these kingdoms under one supreme head; an event approaching almost to certainty, from that sudden desolation with which Providence had visited the family of the parent monarch [13]. Under the awe of public responsibility, and after such shameful inconsistency on the part of France, neither the ministers nor the plenipotentiaries dared to proceed a single step in the treaty, or agree to the substitution of any alternative in the place of a reciprocal renunciation by the two monarchs, confirmed by every sanction necessary to render it effectual [14]. Mr. Harley,

8th April. the cousin of the treasurer, was sent to Utrecht, to intimate the inflexible resolution of the English cabinet to adhere to this demand; and the earl of Strafford was recalled till the purport of the French king's answer should be made known [15]. At the same time, to remove every objection on the part of king Philip, the English ministers gave him his choice, either of renouncing for ever his reversionary right to the crown of France, and possessing the Spanish monarchy with the Indies; or of receiving in exchange for them the kingdoms of Sicily and Naples, the territories of the duke of Savoy, the duchies of Montferrat and Mantua, all of which, except Sicily,

[12] Letter from Mr. St. John to Torcy, 29th April.

[13] On the 14th April 1711, the dauphin died of the small-pox, leaving three sons, the duke of Burgundy, the king of Spain, and the duke of Berry. On the 18th of February 1712, the duke of Burgundy, then dauphin, also died, and in a few days after his eldest son, so that his surviving son, an infant two years old, apparently weak and in a dying condition, and the duke of Berry, were the only intervening heirs between Philip and the crown of France.

[14] Prior's History, p. 362.

[15] Torcy, vol. ii. p. 286. 303—10.

were

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were to be annexed to the French monarchy, upon the event of its deſcending to his poſterity. The two monarchs, being at length convinced that England was in earneſt on this point, yielded to neceſſity; and gave ſatisfactory aſſurances of their readineſs to enter into a formal renunciation of the contingent ſucceſſions of the two crowns, after the other important articles of the treaty were ſettled [16].

The untractableneſs of the Dutch and the emperor, who were puſhing the war with as much ardour as if the negociations had never begun, rendered the queen more anxious to ſeparate the duke of Savoy from the grand alliance. For this purpoſe, his intereſt, next to her own, was attended to; and inſiſted upon by her majeſty's plenipotentiaries at each ſucceſſive conference. It ſeems to have been her intention to ſurpriſe that prince, and to attach him to her, by the ſpontaneous and unexpected generoſity of her demands [17]. The kingdom of Sicily, and the ſucceſſion to the Spaniſh

[16] Torcy, vol. ii. p. 296, 7.

[17] Id. p. 190. 284. 335—40. "Of all "the allies there is none whoſe intereſt "the queen has ſo much at heart as the "duke of Savoy's." Letter from Mr. St. John to Torcy, October 1712. The gratitude of the duke, however, does not appear to have anſwered the expectation of the court of England. Torcy ſays, that the demand of Sicily in his behalf was made without his knowledge, and that he was much concerned when the earl of Peterborough gave him notice of it. He probably expected the Spaniſh monarchy to be immediately conſigned to himſelf, otherwiſe he could not have been ſo anxious about having it taken from the duke of Anjou. "The duke does not "rail at the treaty as others do, though the "idle report that Spain and the Indies are to "remain with the duke of Anjou are not "agreeable to him, and would highly diſ-"pleaſe him, were they not highly improba-"ble." Extract of a Letter from the Earl of Peterborough, Venice, 28th January 1712. MSS. The Whigs imputed the queen's zeal for the duke of Savoy to her deſire for her brother's ſucceſſion. The duke was next lineal heir to the crown of Britain after the family of Stuart; the more, therefore, that his power was increaſed, he would be better enabled to maintain the right of the chevalier, which, in a reverſionary view, was his own. Cunningham, vol. ii. p. 411. Hiſtory of Impeachments, &c. 56. The queen's partiality for the duke of Savoy was equalled by that of the French king for the elector of Bavaria. Torcy, vol. ii. p. 341—5. 354. Mr. Prior carried a letter from Lewis to the queen, 12th October 1712, repreſenting the farther advances he was ready to make for facilitating the concluſion of peace, and beſeeching her in return to intereſt herſelf for the elector, as the moſt pleaſing acknowledgment of his friendſhip to her. The queen returned an anſwer by Mr. Prior, 14th November, in flattering terms; and ſaid, that, from the inſtructions ſhe had given to her miniſters at Utrecht, it would appear, that ſhe did all in her power to favour a prince whoſe intereſt was ſupported by his generoſity. Prior's Hiſtory.

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monarchy, upon the failure of the Spaniſh branch of the houſe of Bourbon, were articles, in his behalf, which the Engliſh miniſters urged with perſevering importunity. Mr. St. John, lately created

4th July. lord Bolingbroke, attended by Mr. Prior, was ſent ambaſſador to Paris, with a principal view to promote the duke's intereſt; and to ſettle ſuch points as were ſtill diſputed, reſpecting the particular demands of England; and, upon receiving ſatisfactory anſwers, he was empowered to agree to a ceſſation of hoſtilities [18]. The higheſt eſteem and attachment were profeſſed by the French court for the queen of England; and the miniſters and nobility vied with each other in doing honour to her ambaſſador. Lord Bolingbroke had ſeveral private conferences with the king, and though the ſubject of them did not tranſpire, yet, as the ſuſpenſion of arms between England and France was proclaimed before he left Paris, it was underſtood, that every obſtruction to peace was removed, without regard to the conſent of the reſt of the allies [19].

The States were greatly alarmed at this event, from the fear of its being productive of a peace diſadvantageous to them. While under this impreſſion they were urged, on the one hand, by the earl of Strafford and the biſhop of Briſtol to accede to the armiſtice, and on the other, by the emperor, to break up the negociations and continue the war [20].

They endeavoured to compromiſe the buſineſs, by ſuch divided meaſures, as might prevent their being utterly ſeparated from either

[18] Prior's Hiſtory, 359. It was moved in the cabinet, that lord Bolingbroke ſhould be empowered to agree to a ſeparate peace with France, but lord Oxford oppoſed it. Torcy, vol. ii. p. 348.

[19] Hiſtory of the Treaty, p. 422. Torcy, vol. ii. p. 356. Lord Bolingbroke was much flattered with the civilities he met with at Paris, and particularly from the king, who made him a preſent of a ring worth four thouſand pounds. Political State, vol. iv. p. 103. Lewis, though far from being a perſon of penetration, poſſeſſed in the higheſt degree the art of pleaſing, which made a great impreſſion upon all the ambaſſadors ſent to his court. Buys, who had thrown out the moſt virulent reproaches againſt him, in the conferences 1709, 10, was afterwards ſent by the States to Paris, and was ſo much captivated with the manners of Lewis, that he became one of his moſt paſſionate admirers. Duclos, tom. i. p. 56.

[20] Barré, tom. x. p. 680.

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of their allies. They ſtill ſtood out againſt the ceſſation of hoſtilities; but they agreed to drop the objection, upon which the negociations had been ſo long ſuſpended, and to enter into verbal conferences with the French miniſters[21]. Theſe conferences, however, had not continued many days when they were again interrupted, by a ridiculous quarrel between the ſervants of Monſ. Meſnager and the count de Rechteren, plenipotentiary for Over Iſſel; and as the States had before broke off the negociations becauſe the French king had refuſed to comply with the method of treating propoſed by them, ſo, in his turn, he demanded the moſt rigid terms of ſatisfaction, as the condition of permitting his miniſters to continue any official intercourſe with thoſe of the States[22]. Neither were the latter ſeriouſly diſappointed by this new interruption of the treaty, and they did not diſcover any anxiety to remove it, becauſe they ſtill cheriſhed the hope of ſome change in the political ſtate of England, or the ſucceſs of the campaign, which might enable them to treat with independence and a greater reſpect to their own intereſt; while, on the other hand, the French king concluded, that every pauſe in the treaty would augment his influence in the Britiſh cabinet[23].

1712.

2d Auguſt.

At the opening of the aſſembly of the States, the penſionary Heinſius avowed the moſt fearful apprehenſions concerning the inſidious deſigns of the French king; he repreſented ſuch a peace as was now in agitation to be utterly ruinous to their liberties; and recommended the moſt vigorous efforts for carrying on the war, in conjunction with the emperor and the German States[24]. While

13th Sept.

[21] Torcy, vol. ii. p. 349.

[22] Tindal, vol. ix. p. 413. Rechteren was offended on account of Meſnager's ſervants having inſulted himſelf and his attendants by laughing and offenſive geſtures, as he happened to paſs Meſnager's door. The latter being dilatory in making any inquiry upon the ſubject, Rechteren adviſed his ſervants to avenge the affront, which they did by ſtriking Meſnager's, the firſt time they met them on the ſtreet. Notice of this being ſent to the court of France, Meſnager was inſtructed to admit of no interceſſion or accommodation, unleſs Rechteren was diſmiſſed by the States, and his conduct condemned by all the reſt of the deputies, which was at length complied with, 18th January 1713, after the altercation had been carried on for above four months. Political State, vol. iv. p. 113, &c. Torcy, vol. ii. 360. 373.

[23] Hiſtory of the Four Laſt Years, p. 347.

[24] Tindal, vol. ix. p. 414.

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this contradictory conduct provoked the court of England, the French plenipotentiaries perceived, as they imagined, a favourable opportunity for retracting thoſe conceſſions in behalf of the Dutch, to which their maſter had agreed in compliment to the queen; and they not only made exceptions to the barrier, which ſhe had engaged to procure for her allies, but inſiſted upon the reſtitution of Tournay, already in their poſſeſſion[25]. The Engliſh miniſters now found themſelves under the neceſſity of making a ſtand upon a point, for which the honour of their ſovereign was ſolemnly pledged; and from which ſhe could not depart, without incurring the reproaches of her own ſubjects, as well as of the States[26]. They repreſented to the French king, that if he inſiſted upon the reſtitution of Tournay, the whole buſineſs of the treaty would be overſet; and that they themſelves, after having made ſo many ſtretches to ſerve him, muſt fall a ſacrifice to the vengeance of their incenſed fellow-ſubjects[27]. The ill ſtate of his health, more perhaps than any ſenſe of juſtice or gratitude to his friends, prevailed upon Lewis to yield to their importunity, and relinquiſh his claim to the reſtitution of Tournay[28]. They did not fail to make the moſt of their ſucceſs, to haſten the concluſion of the treaty; and explicitly announced to the Dutch plenipotentiaries, that if they did not ſign the peace within the ſpace of three weeks, her majeſty was determined to do it without them, and to abſtain from all future interference in their concerns[29].

20th Nov.

The events of the campaign, which have been already recited, had now wrought a mighty change upon the views and diſpoſitions

[25] Torcy, vol. ii. p. 309.

[26] Bolingbroke's Letter to Prior, 10th September 1712. Oxford's Anſwer to the eleventh Article of Impeachment. Hiſtory of the Impeachment, p. 292. The French king had promiſed not to inſiſt upon reſtoring Tournay, and, upon the faith of this, the queen had aſſured the States of its remaining with them at the peace; but he now inſiſted upon having it reſtored as an equivalent for the demolition of Dunkirk. Memorial delivered by the Abbé Gualtier, 18th November 1711. Torcy, vol. ii. paſſim.

[27] Bolingbroke's Letters to Prior.

[28] Torcy, vol. ii. p. 363—5.

[29] Tindal, vol. ix. p. 454.

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of the Dutch. The hopes held out to them by the emperor and prince Eugene had proved deceitful; they were on the eve of being conſigned to the vengeance of their ambitious neighbour, without any hope of the interpoſition of that power which had repeatedly reſcued them from deſtruction. The States of Utrecht accepted the propoſitions agreed to by the Engliſh plenipotentiaries, and the new barrier treaty, without any reſtriction; and in a few days all the reſt of the provinces ſignified their conſent, with ſome exceptions, which, however, were underſtood to depend entirely upon the good will of the queen of England [30]. 13th Dec.

The concluſion of the treaty ſeemed now to be juſt at hand, when new difficulties aroſe, which, coming from a quarter that was little expected, were the more mortifying to the Engliſh miniſters, and upbraided their raſhneſs and want of diſcernment. Engroſſed by the ſingle object of bringing the States to conſent to the peace, they had relied implicitly on the honour of the French king; and neglected to require that preciſion of engagement, with reſpect to their own demands, which alone could guard them againſt the ſubterfuges and cavils of a diſhonourable treater. Lewis, finding that he had leſs to fear from the court of England than from any of the confederates, began to draw back from his promiſes to it, and to elude the verbal engagements of his miniſters [31].

[30] Tindal, vol. ix. p. 457. The States deſired her majeſty to interpoſe for the reſtoration of Straſburg to the emperor; for adding Condé to their barrier; and for ſettling their trade on the tariff 1664. But theſe demands were refuſed by France.

The king of Spain's renunciation of the crown of France was ſigned 5th November 1712, and confirmed by his oath in preſence of the council of ſtate, the chief nobility, and lord Lexington, the Engliſh ambaſſador. Political State, vol. iv. p. 267. The renunciation of the dukes of Berry and Orleans to the crown of Spain, together with the French king's letters patent confirming them, were inſerted in the regiſters of the parliament of Paris, 15th March 1713, in preſence of the officers of ſtate, the principal peers of France, the duke of Shrewſbury, and the duke d'Oſſuna, king Philip's ambaſſador. Idem, vol. v. p. 102.

[31] Hiſtory of the Four Laſt Years, p. 357. "The French preſs us to conclude, that they "may have others at their mercy; and at the "ſame time they chicane with us, about the "moſt eſſential article of all our treaty, and "endeavour to elude an agreement made, "repeated, and confirmed." Letter from Lord Bolingbroke to Mr. Prior.

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The principal points, ſtill in agitation, related to the colonial poſſeſſions of France and England in North America; and to the articles of a commercial treaty which was to take place after the peace [32]. The ſcene of buſineſs was now transferred from Utrecht to Paris, where the duke of Shrewſbury reſided as ambaſſador; and acted in conformity to the inſtructions he received from lord Bolingbroke. The correſpondence between the ambaſſador and the ſecretary exhibits a curious ſpecimen of the chicane and treachery of the French court, and of the inconſiſtency and diſtraction of the Engliſh miniſtry. Amidſt all the bluſtering and recrimination affected by the latter, we diſcern a progreſſive conceſſion to the court of France; ſo that, in the reſult, ſhe modelled every thing that remained undecided, agreeably to her own intereſt, without any tenderneſs for the tranquillity and honour of the Engliſh miniſters, who had been ſo precipitately and fervently devoted to her ſervice [33].

After the diſputes between the two courts were ſettled, new obſtructions again aroſe, when the buſineſs was remitted to Utrecht. Treading in the footſteps of their maſter, the French plenipotentiaries became more arrogant and captious than they had been in any former ſtage of the treaty, and abſolutely refuſed to comply with ſeveral articles, which the Dutch underſtood to be already granted; and, as they had been led to this perſuaſion by the aſſurance of the Engliſh plenipotentiaries in the name of the queen, the latter were now reduced to ſuch a ſtate of perplexity and diſtreſs,

[32] The French inſiſted for the right of fiſhing on the banks of Newfoundland; and that the duties payable in France by the ſubjects of Great Britain for goods imported and exported ſhould be agreeable to the tariff 1664. Letters from Mr. Prior to the Earl of Oxford and Lord Bolingbroke. They alſo inſiſted upon having the iſland of Cape Breton, though underſtood to belong to Nova Scotia, which the queen had aſſured the parliament, 6th June 1712, was to be ceded to her. Compare 13th Article of the Peace, and the Hiſtory of Impeachments, p. 119.

[33] Letter from Mr. Prior to Lord Bolingbroke, January 1713. Prior's Hiſtory, p. 381. Tindal, vol. ix. p. 465—83. While the negociations were going on, advice arrived that a French fleet, under Monſ. Caſſart, was making depredations in the Engliſh ſugar iſlands; an inſtance of treachery, which made the miniſters aſhamed of having confided ſo much in their new friend.

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as made it impoſſible for them to continue that confidential intercourſe with the French miniſters, with which the reſt of the confederates had all along been juſtly offended [35]. In vain they remonſtrated againſt the injuſtice and duplicity of the French; and complained of the ſhame and diſhonour to which they were expoſed from the reflections and upbraidings of the allies. In theſe they only participated with the members of the Britiſh cabinet, who had brought themſelves into ſuch a ſituation by their impetuoſity and miſplaced confidence, that there remained no alternative but their own diſgrace, or the ſpeedy conſummation of the peace [36]. The faction at home, which had been averſe to enter upon the treaty, loſt credit with the people, who were well pleaſed to ſee it ſet on foot; but, from the many hindrances which it met with afterwards, and the long pauſe it ſuſtained, when apparently brought near a concluſion, the hopes and the courage of its oppoſers revived; and they expected, in the approaching ſeſſion, to render their antagoniſts unpopular, and to expoſe the diſgrace and danger in which they had involved their country, by deſerting her allies, and relying implicitly upon the faith of their common enemy. The friends of the miniſters were diſguſted and wearied with delays, the cauſes of which could not with propriety be diſcloſed; and, from the prolongation of the treaty beyond any former precedent, they began to doubt of their capacity for carrying it into effect. The members of parliament had been ſummoned to attend their duty at the beginning of the year, with aſſurance that every thing relative to the peace would then be finally concluded. While, by repeated ſhort adjournments, they were detained in town, idle, inſignificant, and excluded from

[35] Tindal, vol. ix. p. 483. Swift to Mrs. Jonſon, February 1713. "We could ſay a "great deal to juſtify our cautious proceedings "with the French, and are ſatisfied that your "lordſhip will be of the ſame opinion if you "were to ſee their way of negociating with "the allies; and how hard it is for us to ob"tain here, what, to your lordſhip, ſeems im"poſſible the French ſhould make any diffi"culty to grant." Letter from the Plenipotentiaries to Lord Bolingbroke, March 1713.

[36] Swift to Mrs. Dingley, June.

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the ſecrets of government, their patience and confidence began to fail, and their ill-humour and reſentment became a ſerious object of miniſterial alarm [37]. The moſt poſitive orders were diſpatched to the Engliſh plenipotentiaries to depart from every ſcruple and objection, and to ſign the treaty without farther delay. On the 11th of April 1713, the treaty of Utrecht was accordingly ſigned, in name of their ſeveral conſtituents, by the miniſters of England, France, Savoy, Portugal, Pruſſia, and the States-General [38].

Before I proceed to a cloſer examination of the merits of this peace, it may be proper to mention peculiar circumſtances of diſadvantage which attended its commencement and progreſs, and portended an unfavourable concluſion for the allies.

1. From the facts already recited, it muſt occur to every attentive reader, that the Engliſh miniſters entered upon the negociations for peace with a precipitancy and openneſs, which rendered them too much dependent upon the court of France. In order to ſuſtain conſiſtency of ſentiment, and to bend the inclinations of the people to their meaſures, they found themſelves under the neceſſity of expoſing, in the ſtrongeſt colours, the exhauſted ſtate of the country, and the extreme difficulty of finding reſources for the war. While they were in oppoſition, ſuch repreſentations were imputed to the ſlander of diſappointed ambition; but when the ſame language was held after their advancement to power, it acquired that ſtamp of credit which revived the expiring arrogance of the French monarch, and inſpired him with the hopes of obtaining more favourable terms of peace than he could have expected from the depreſſion of his affairs. So ſenſible indeed was Lewis of the benefits which he derived, from the ground on which the new miniſters began their courſe, that he changed his firſt purpoſe of ſending agents to England; and foreſaw, that, inſtead of being an humble ſupplicant to

[37] Tindal, vol. ix. p. 490. Swift's Letters, paſſim. Letter from Oxford to the Plenipotentiaries, 31ſt March.

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that

that court, he would treat upon a more advantageous footing by receiving overtures from thence [39].

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After the French agent had arrived in England, upon the aſſurance of meeting with a welcome reception, the queen and her miniſters not only betrayed a violent fondneſs for peace, but imprudently diſcloſed ſuch intentions with reſpect to official arrangements, as delivered the French king from uneaſy apprehenſions about the continuance of the war. While the duke of Marlborough remained at the head of the army, neither the private inclinations of the queen, nor the complaiſance of the cabinet to France, could arreſt the progreſs of his victories, or mitigate the calamities of the vanquiſhed enemy; but, when the miniſters of England wantonly communicated their purpoſe of ſuperſeding that invincible general, the continuation of the war was no longer terrible to Lewis, and he became more difficult to treat with about terms of peace [40].

2. From the unguarded communications which had eſcaped them at the very outſet of the buſineſs, the Engliſh miniſters found themſelves ſo much entangled, that more enlarged confidence, and more ſervile complaiſance became neceſſary to enſure the ſucceſs of the treaty, and to prevent the returning triumph and power of their rivals at home. The moſt flattering expreſſions of kindneſs were reciprocally exchanged between the two courts, by which the Engliſh miniſters were unwarily ſeduced to impart ſecrets of the moſt delicate nature, and to exact, upon their own perſonal account, ſuch private ſtipulations from the agents of France as could neither be

[39] Meſnager, p. 66, 7. Meſnager ſtyles the preſent miniſters the *French king's plenipotentiaries*. The Spaniſh ambaſſador deſired ſir William Wyndham to tell Dr. Swift, that his maſter and the king of France were more obliged to him than any man in Europe. Swift's Letters, vol. i. p. 168. Lond. 1767.

[40] Meſnager, p. 171. 185. When the French king heard of the diſmiſſion of the duke of Marlborough, he added the following words with his own hand in the diſpatches to his agents at the court of London. "The "affair of diſplacing the duke of Marlbo- "rough will do all for us we deſire." Meſnager, p. 185, 6. See a Letter to the Elector of Bavaria from his Miniſter at Verſailles, 18th October 1710.

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concealed nor fulfilled but by the event of a peace[41]. They were made acquainted with the animoſities which ſubſiſted among parties in England, and the dangerous effects which the preſent rulers apprehended from the intrigues and reſentment of their predeceſſors. The French king voluntarily entered into the moſt ſolemn engagements to interpoſe, for the protection of the queen and her ſervants, in caſe of any inſurrection or violence, inſtigated by the Whigs and allies, to force her into meaſures contrary to her own inclinations, and to the pacific ſyſtem which ſhe was determined to obſerve during the reſidue of her days. In return, it was promiſed in name of the queen, that, if her endeavours for bringing the allies to a treaty ſhould prove ineffectual, ſhe was to withdraw all her troops from the confederacy, and make a ſeparate peace[42]. After ſuch perverſe aſſociation of intereſt with the French king, the miniſters were in effect ſubjected to his power, and devoted to his ſervice. Whatever altercations might occur in the courſe of the treaty, and whatever remonſtrances they might find it expedient to make for ſupporting their pretenſions to fidelity, yet the reſult of the negotiations was altogether in the hands of that crafty monarch. They had nothing but his perſonal honour interpoſed between themſelves and conſequences, more fatal than could ariſe from an inadequate and unpopular peace.

3. The jealouſies and miſunderſtandings, ſubſiſting among the members of the confederacy, gave great advantage to France; and,

[41] Letter from the French King to Queen Anne, April 28th, 1712. From the Queen to him, 14th November 1712. From Bolingbroke to Torcy. Hiſtory of Impeachments, p. 21. 55. 57. Prior's Letter to Bolingbroke, 28th December 1712. Hardwick's Collection, vol. ii. p. 489. After the peace of Utrecht, queen Anne offered the garter to Lewis, which he declined, leſt it ſhould give offence to queen Mary. Duclos, tom. i. p. 63. The Engliſh miniſters, during the dependence of the treaty, not only gave leave to the merchants to ſail into France, but diſpatched ſecret orders, to ſir John Leake in the Mediterranean, to permit French ſhips loaded with corn to paſs into France unmoleſted. Even private perſons in France made intereſt for the reſtitution of their ſhips which had been taken by the Engliſh fleet during the war. Cunningham, vol. ii. p. 416, 17.

[42] Meſnager, p. 166, 7, 8. 202. Hiſtory of Impeachments, p. 104.

though

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though England had not been fettered by premature engagements, muſt have proved no leſs injurious to her intereſt than to that of the allies, who did all they could to poſtpone and fruſtrate the treaty[43]. We have had occaſion to obſerve, from the facts mentioned in the preceding pages of this work, that the efficient exertions of combined ſtates ſeldom amount to the computation, founded upon their reſpective reſources. The cauſes of this diſproportion invariably operate with greater effect, after the object of their union has been attained, and when the period of their ſeparation approaches. By war the knot of fellowſhip is more cloſely drawn: during their joint proſecution of hoſtilities againſt the common foe, they have one ſimple and preciſe object in view, their own defence and his deſtruction. But as ſoon as they enter upon negotiations affecting their ſeparate and permanent intereſts, jealouſies and ſelfiſh conſiderations, which were dormant during the buſtle of war and the incumbency of danger, awaken and diſturb that mutual confidence, which alone can ſecure to them the fruits of victory and ſucceſs. In this view, a ſingle, ſelf-united ſtate muſt ever enjoy great advantage in conducting a treaty over a confederacy looſely compacted, moved by jarring intereſts, and diſtracted by internal ſuſpicions. Sound policy, therefore, ſhould ſuggeſt to confederate bodies, for their common intereſt, the importance of maintaining, at leaſt, the appearance of amity and confidence in each other, while negotiations are depending. But the reverſe was the caſe during every ſtage of the negotiations of which I have been giving an account. The preſent miniſters in England, both before and after their acceſſion to power, did every thing to forfeit the good opinion of the allies; and to provoke that diſtruſt which retarded and embarraſſed the treaty. Their chief arguments in oppoſition to the Whigs had arraigned the fidelity and honour of the allies; and after entering into office, they were ſo far from retracting their aſperity, that they urged the breach of engagements

[43] Juſtification of the preſent Miniſters. Somers, p. 288. Conduct of Oxford, p. 82.

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by the States, and the unfair advantages at which they were graſping, as the ſtrongeſt motives for haſtening the concluſion of the war. The conſequences were juſt ſuch as might have been expected. The allies, afraid to truſt their intereſts in the hands of men who had calumniated them, became partiſans of the diſplaced faction, and, with no leſs impolicy than officiouſneſs, beſieged her majeſty, with entreaties and threatenings, to reinſtate them in her ſervice. From theſe circumſtances, it was not likely that the miniſters who inſtituted the negotiations, though they held the language of friendſhip towards the allies, could be ſeriouſly concerned about their intereſt; or conſider it as an inſurmountable obſtacle to a peace upon which their own political exiſtence depended [44]. The premature remonſtrances of the Dutch againſt ſo much as entering upon the treaty; their refractory ſpirit during its progreſs, and ſtrong ſuſpicions of their tampering ſecretly with the French king, that they might wreſt the negotiations out of the hands of the Engliſh, provoked the ſervants of the queen to break through all reſtraints of decorum; and to ſpeak of this ally in terms of contempt and upbraiding, but too grateful to their common enemy [45]. They patroniſed declamatory publications, and did every thing in their power to turn the current of popular odium againſt the Dutch [46]. All the ſucceſſive ſteps, in the courſe of the treaty, contributed to foment reciprocal animoſity, till the ſuſpenſion of arms between England and France, and the ſurrender of Dunkirk, brought the former to the verge of hoſtility with the reſt of the allies [47]. The conſequence was, that all of them were ſubjected to the mercy of their vanquiſhed adverſary, who exulted

[44] Torcy, vol. ii. p. 290. When the Dutch miniſters began to reſume the ſame language at Utrecht, that they had uſed at Gertruedenberg, the abbe Polignac replied, "Meſ-"ſieurs, les circomſtances ſont changées, il "faut changer le tone; nous traiterons chez "vous, des vous, et ſans vous." Duclos, vol. i. p. 47.

[45] Torcy, vol. ii. p. 124, 5. Hiſtory of the Four Laſt Years, p. 357.

[46] Political State, vol. iii. p. 359—363.

[47] "They were not backward, ſpeaking "of the Engliſh miniſters, to acknowledge, "that the having Dunkirk put into their "hands was the more agreeable to them, as "they knew it would be a ſenſible mortifi-"cation to the States." Meſnager, p. 144.

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in their diſcords, and did not neglect to improve ſuch an obvious advantage, by retracting and narrowing the conceſſions which he had already made; and modelling and adjuſting, as he pleaſed, every point that remained unſettled and diſputable.

4. The diſagreement among the members of the Engliſh cabinet, though hitherto not ſo material as to divide its counſels, unqueſtionably degraded its authority, and depreſſed that high ſpirit and energy, which were neceſſary to bear down the characteriſtic inſolence of the monarch with whom they were now treating. The jealouſy and hatred, ſubſiſting between the earl of Oxford and lord Bolingbroke, not only deſtroyed reciprocal confidence, but interrupted that eaſy and frequent intercourſe, which would have contributed to the ſpeedy adjuſtment of various points referred to their advice by their agents on the continent. The accompliſhment of a peace was equally agreeable to the inclinations and intereſts of both, but their mutual jealouſies reſtrained all freedom of ſpeech, and made them afraid of hazarding any opinion or propoſal, that might afford ground of crimination upon the probable diſſolution of their political union[48].

Nor were the ſubordinate and oſtenſible managers of the treaty endowed with talents adequate to the ſingular difficulty of the truſt committed to them. Though lord Strafford had been long employed in the diplomatic line, his manners were reſerved, unaccommodating, and ill calculated to gain the good opinion of foreign miniſters, and ſometimes expoſed him to the inſults of the Dutch populace[49]. The formality and ſlowneſs of the biſhop of Briſtol too

[48] Conduct of Oxford, p. 58. 65, 6. 82. When the twelve peers were created, Mr. St. John conſented, upon the promiſe of being ennobled afterwards, to remain in the houſe of commons, where he had great ſway, till the concluſion of the treaty. He expected an earldom, which had formerly been in one of the branches of his family; and was mortified when he found that his patent was only for a viſcount's title. He was alſo diſpleaſed becauſe the vacant ribbon was not conferred upon him after his return from France. Theſe diſappointments he imputed to the envy and jealouſy of lord Oxford, who repreſents the differences between him and Bolingbroke, as having originated at an earlier period, and from cauſes highly diſhonourable to the latter. Oxford's Letter to the Queen.

[49] Tind. vol. ix. p. 415.

much

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much coincided with the procraſtinating, diſputatious temper of the States. Neither were the two Britiſh plenipotentiaries united to each other by that mutual eſteem and confidence, which, in their delicate ſituation, were equally neceſſary for maintaining their perſonal dignity, and for giving authority and firmneſs to their reſolutions [50]. I now paſs from general obſervations, to a particular ſurvey of the treaty.

In order to eſtimate, with preciſion, the merits of the peace of Utrecht, and to appreciate the meaſure of praiſe or cenſure due to thoſe who conducted it, we ought to compare it with the objects for which the allies entered into the war; and the ſucceſs which attended their arms. Did the terms or advantages, obtained by the allies, correſpond with the objects for which the war was undertaken? Were they adequate to the ſucceſs with which it was attended?

With reſpect to the laſt of theſe queſtions, the anſwer is ſo obvious, as to ſuperſede all argument or diſcuſſion. The terms of the peace, procured for the allies in general, were not in proportion to the extent of their ſucceſs, and particularly for Britain, which principally contributed to it by the immenſe waſte of her treaſure and blood, and by the unmatched talents of her general. Examples of profitable war, or of its placing the conquerors in a better condition than they would have been, had they never engaged in it, are perhaps fewer than have been generally ſuppoſed. When the intereſts of virtue and humanity are taken into account, the number of ſuch examples would be ſtill more contracted than upon a calculation, conducted ſolely with a reſpect to political advantage. Setting aſide all moral conſiderations, ſound and liberal policy will always reſtrain intemperance of demand; and even ſuggeſt the expediency of ſacrificing valuable acquiſitions, which have been obtained by the proſecution of righteous war, when they manifeſtly endanger the future

[50] Swift's Journal, 15th Feb. 1711.

ſecurity

ſecurity and independence of the victorious nation. To apply this remark to the caſe under our ſurvey. Though the confederates had reaſon to expect better terms than thoſe which were obtained by the treaty of Utrecht, yet it is not eaſy to form the conception of a ſcheme of peace, approaching to what may be defined an adequate or juſt compenſation, that would have contributed to the ſolid and permanent advantage of all concerned, or that would not have overſet the balance of power, and conſequently counteracted the deſign for which the war was undertaken. The proof of this obſervation will appear from the inveſtigation of the other queſtion, namely, whether, and how far, were the terms of the peace anſwerable to the object of the confederacy? In general, it may be anſwered, that they were not ſo deficient and exceptionable, as might have been expected from the unfavourable circumſtances attending the negotiation, and certainly not to that degree which has been aſſerted by the enemies of the tory adminiſtration, and the greateſt number of contemporary authors.

If there was any purpoſe of the war which might be denoted primary and ſupreme, or any ſingle point or maxim in which the views of all the confederates centered, it was to obtain a juſt and reaſonable ſatisfaction to the houſe of Auſtria, in relation to the Spaniſh ſucceſſion; and what neceſſarily coincided with this, to circumſcribe and weaken the power of the French monarchy. That ſatisfaction, not having been defined in the articles of the grand alliance, muſt be collected from the probable motives of the contracting parties, and their open and declared ſentiments. As the breach of faith, committed by Lewis, in departing from the ſecond partition treaty, and retracting his renunciation of the Spaniſh monarchy, in name of his family, or his acceptance of the will of king Charles, in behalf of his grandſon, was the moving cauſe of the grand alliance, ſo it may be fairly inferred, that to bring him back to his former engagements, was its ultimate object. Had he propoſed to abide by the partition treaty, upon intimation of the reſolutions formed by the confede-

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rates, we have no reaſon to doubt of their having been ſatisfied with the propoſal, as amounting to an adequate ſatisfaction to the houſe of Auſtria [51]. Such were the views of the confederates before they entered upon hoſtilities. In proportion to their ſucceſs in the courſe of the war, their proſpect of advantage expanded, and a more enlarged interpretation of the ſatisfaction to be given to the houſe of Auſtria was adopted, not only by that family and their continental friends, but alſo by England, though ſhe had leaſt at ſtake in the depending conteſt. The whig miniſters obtained the ſanction of parliament for rejecting a peace, upon any terms, excluſive of the reſtoration of the entire Spaniſh monarchy to the heirs of the emperor Leopold. Suppoſing that no alteration in foreign politics had taken place during the war, or intervened between the framing of the grand alliance and the commencement of the negotiations for peace, even in that caſe, none of the contracting parties could have been authorized to ſtretch their demands upon the reſt, or to exact a ſurplus of engagement, in conſequence of reſolutions formed within the interior councils of any ſeparate power. The ſtate which made ſuch reſolutions might recall and cancel them at pleaſure, becauſe, upon every fair and eſtabliſhed principle of juriſprudence, the conſent of others cannot be neceſſary to abrogate any law, or to retract any meaſure, to which it had not originally contributed. The reſtoration of the entire Spaniſh monarchy to the houſe of Auſtria was an exceſs of demand, which, not being expreſſed in the original articles of the grand alliance, could not be binding upon England

[51] The States, in the conferences at the Hague 1701, when the confederacy was formed, aſſerted, that though they had acknowledged Philip as king of Spain, yet ſuch an acknowledgment was not contrary to the demand of a reaſonable ſatisfaction to the emperor, for his pretenſions to the Spaniſh ſucceſſion; which was, in effect, to declare, that the ſatisfaction demanded was not incompatible with Philip's retaining the poſſeſſion of the Spaniſh monarchy. History of Impeachments, p. 267.

By the 21ſt article of the alliance with Portugal, it was agreed, that no peace ſhould be concluded, while any prince of French extraction continued on the throne of Spain. The Portugueſe miniſters, therefore, at the beginning of the treaty of Utrecht, demanded the reſignation of king Philip; but they afterwards departed from it, and it was even ſuſpected that they were privately treating with Lewis upon this very baſis, namely, that his ſon ſhould ſit on the throne of Spain.

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from the requiſition of any foreign power. It was, however, competent for parties at home to recommend, to the exiſting miniſters, a due reſpect for the decrees of the legiſlature, and eſpecially if the circumſtances on which they were founded had remained unaltered; but, by the recent changes in the political ſtate of Europe at the time to which I allude, the transfer of the Spaniſh monarchy to the houſe of Auſtria became incompatible with the ſpirit and deſign of the grand alliance.

King Charles had not only ſucceeded to the kingdom of Hungary, and all the hereditary dominions of the houſe of Auſtria, but was elected to the Imperial crown, upon the death of his brother Joſeph; and he wanted only the addition of the Spaniſh monarchy, to have raiſed him to an exuberance of power, equal to that of his anceſtor Charles V. [52] Had he obtained it, the balance of power, which had been the capital object of the wars and treaties in Europe during the two preceding centuries, would have been deſtroyed. The only prince, who could have counterpoiſed ſuch a vaſt accumulation of empire, was exhauſted by a long and unproſperous war: to maintain the political balance of Europe, by circumſcribing his expanding dominion, was the leading principle of the grand alliance, to

[52] The confederacy was formed to ſecure poſterity from the exorbitant incroachment of any power. The French greatneſs was its immediate object; but the future ſafety of Europe its main end. This ſeems to have been the fundamental maxim which regulated the political conduct of king William, and to which he adhered in all the treaties and wars in which he engaged. While the treaty of Nimeguen was depending, the prince of Orange ſaid to ſir William Temple, that if the emperor endeavoured to puſh the French beyond the treaty of the Pyrennees, he ſhould, from that time, become a Frenchman as much as he was then a Spaniard. Temple's Memoirs, p. 82. By the firſt partition treaty, the two ſons of Leopold, Joſeph and Charles, were paſſed over, and the dominions of Spain were aſſigned to the electoral prince of Bavaria, their eldeſt ſiſter's ſon, that too great a proportion of power might not fall into the hands of the Imperial family. It is affirmed, by the author of the felonious treaty, De Foe, that the reaſon for king William's acknowledging the duke of Anjou king of Spain was the emperor's beginning the war in his own name and right, making no declaration of his intention of giving the crown of Spain to a younger branch of his houſe, and king William thought it more reaſonable to conſign it to the duke of Anjou than to the emperor. Felonious Treaty, London 1711, p. 33. For theſe reaſons it was no longer poſſible to keep the grand alliance united on the principle of recovering the Spaniſh monarchy for the houſe of Auſtria. Vindication of the preſent Miniſtry, London 1711.

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which all the ſpecific conditions, compriſed in it, were adapted, as far as the wiſdom of its framers could extend. The validity of ſuch conditions therefore, according to the ſpirit of the treaty, ſubſiſted only as long as the fulfilment of them could contribute to that end; but when, from a change in the ſtate of Europe ſurpaſſing the ordinary latitude of contingency, they tended to contravene the deſign for which they were framed, and to throw ſo much additional weight into the ſcale which already preponderated, could the juſtice and propriety of adhering to them be ſeriouſly contended for, by the candid and diſcerning politician?

There is not, perhaps, in the record of ages, a more ſtriking example of the blindneſs and fatality of human policy, than that under conſideration. A confederacy is formed for adjuſting the political balance of Europe, agreeably to a ſpecific plan, concerted and approved by the aggregate wiſdom of various ſtates; that plan is proſecuted at the expence of not leſs than a million of lives, and of incalculable, attendant calamities. The deſire of the belligerent confederates is at length on the point of accompliſhment, their object is juſt brought within reach, when behold, its complexion is changed: it appears pregnant with the very miſchiefs which it was intended to prevent; and the attainment of it would be ruin certain, and irretrievable. Thus, fruſtrating, by events unforeſeen and unexpected, plans of policy, formed upon the moſt ſpecious grounds of wiſdom, and perhaps of juſtice, providence admoniſhes the rulers of nations to lay a greater ſtreſs, than they are inclined to do in the moment of reſentment and alarm, upon thoſe caſual events, which may change the nature and quality of the objects purſued; and upon the intervening means by which they muſt neceſſarily be acquired.

It was objected to Britain, that ſhe had violated the eighth article of the grand alliance, by entering into a treaty with France, without the participation and conſent of the other confederates[54]. With re-

7th Sept. 1701.

[54] After the commencement of the war, none of the allies ſhall be permitted to treat of peace without the advice and participation of the reſt.

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ſpect to this charge, it certainly does not bear upon the tory miniſters to the extent inſinuated by their accuſers, nor were they ſo abſolutely and entirely free from it, as has been contended for by their friends. We never can ſuppoſe it to have been the intention of the treaty, to debar any one of the parties from receiving or liſtening to overtures for peace; but only from proceeding or concluding upon them, without the participation of all the reſt. The States and the duke of Savoy had received overtures from the French king, during the courſe of the war, and the former had deliberated upon the propoſals made by monſieur Pettekum, long before the reſt of the allies were taken into concert. It did not appear that England had done more; ſhe had tranſmitted to her allies the preliminary articles offered to her, with the ſtrongeſt aſſurances that ſhe would not conclude a peace without their approbation. At the ſame time, ſhe undoubtedly had taken clandeſtine ſteps for her own particular advantage, and afterwards, in the progreſs of the treaty, diſcovered an indifference in ſome inſtances to the intereſt of the allies, which left them almoſt no alternative but accepting of the terms agreed upon between the French and Engliſh courts. In the firſt inſtance, ſhe acted as they probably would have done in the like ſituation; in the ſecond, ſhe was harſh and unkind; and gave juſt occaſion to that umbrage which clogged the progreſs of the treaty, and ultimately circumſcribed the benefits of it, both to herſelf and her allies.

But neither does it appear that the intereſts of the allies were ſo much neglected, as has been aſſerted, when we conſider their ſeveral motives for entering into the war. The offence or provocation, affecting the Dutch particularly, was the French king's ſeizing the ſtrong towns in Flanders, which ſerved as a barrier to them. By the treaty of Utrecht, he was bound to deliver up to them, in behalf of the houſe of Auſtria, all the places which he had taken in the Spaniſh Netherlands, formerly belonging to his Catholic majeſty Charles II, Luxemburg, Namur, and Charleroy, were to be garriſoned by the troops of the States, maintained at the expence of theſe towns.

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The king of Pruſſia certainly was a gainer, by the annexation of the upper quarter of Guelderland to his dominions, upon renouncing, to France, the principality of Orange, and his claim to king William's lands in Burgundy.

The Portugueſe obtained a recognition and confirmation of all their claims in South America.

To the duke of Savoy, by the interceſſion of England alone, the peace was eminently beneficial; and laid the foundation of his ſoon riſing to a more important ſtation in the political ſcale of Europe. He was made king of Sicily, and placed next in ſucceſſion to the Spaniſh monarchy.

For herſelf, Great Britain obtained the acknowledgment of the proteſtant ſettlement, and the obligations of the French king, for himſelf and his ſucceſſors, never to diſturb it. The miniſters boaſted of the demolition of Dunkirk, which ought to be reckoned a brilliant and fugitive, rather than a ſolid and permanent advantage. In America, Hudſon's Bay was reſtored, and full reparation made for all the damage the Engliſh colonies had ſuſtained, by the hoſtile incurſions of the French during the war; the iſland of St. Chriſtopher's was conſigned to the poſſeſſion of Britiſh ſubjects alone. Nova Scotia with all its dependencies was ceded, and alſo the iſland of Newfoundland, with the reſervation of a right for the French of fiſhing there, and drying their fiſh during a certain limited ſeaſon.

By the peace with Spain, the proteſtant ſettlement was acknowledged; Gibraltar and Minorca were added to the dominions of Britain; and the Aſſiento trade, or the contract for furniſhing the Spaniſh colonies with negroes, was ſecured to her for the term of thirty years, in the ſame manner as it had been enjoyed by the French [55].

[55] Great profits were expected to ariſe from the Aſſiento contract, which however did not happen, as it appears that immediately after this treaty the Britiſh African trade declined, and did not, till the year 1730, ariſe to the extent, to which it had attained in the year 1701. Edwards's Hiſtory of the Weſt Indies, vol. ii. p. 192.

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The reciprocal renunciations of the French and Spaniſh monarchies were inſerted in all the treaties, and conſidered as an article equally eſſential to the ſecurity and independence of all the confederate powers [56].

Upon the whole, after a near ſurvey of the articles and merits of the peace of Utrecht, it appears to have been deficient and cenſurable, from its diſproportion to the ſucceſs of the war, more than from its having fallen ſhort of the ends of the grand alliance.

[56] The peace between England, the States, and Spain, was not ſigned till 13th July 1713, but it went hand in hand with that between France and England, and was entirely managed by their agents. The formal concluſion of it was poſtponed, firſt, by the States refuſing paſſports to the Spaniſh miniſters till April 1713, under pretext of its being injurious to the emperor, who had the beſt right to the Spaniſh monarchy; and afterwards, by the attachment of king Philip to the princeſs Urſini, whoſe ambition and intrigues have rendered her name famous in the annals of Spain. King Philip inſiſted upon putting her in poſſeſſion of an independent principality in the Low Countries, the ſovereignty of which was to be ceded by him to the emperor; and that the States ſhould engage by the treaty of peace to maintain her right to it. The emperor at firſt oppoſed it, and the Dutch refuſed the engagement required from them, becauſe the French king had promiſed, when they ſigned the treaty with him, that his grandſon ſhould make peace with them, upon the terms already ſettled, among which, the guarantee of the principality to the princeſs Urſini had never been mentioned. Berwick's Memoirs, vol. ii. p. 152. Torcy, vol. ii. p. 301. Duclos, tom. i. p. 64. St. Simon, tom. ii. p. 41. 46, &c.

Though the great object of the Spaniſh council in ſupporting the duke of Anjou's claim, was to prevent the diſmemberment of their empire, yet that object was diſappointed, and Spain was the only power that ſuſtained a diminution of her territorial poſſeſſions; for, excepting Newfoundland, whatever the confederates acquired was taken from her. Ypres, Menin, Fournes, and their dependencies, were taken from Spain, and added to the Auſtrian Netherlands. Even the French king had not the generoſity of abſtaining from a ſhare of the ſpoil, and carried off a large proportion of her property in Flanders.

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Meeting of Parliament.—Queen's Speech, &c.—Supplies.—Acts.—Subſtance of the Reports of the Commiſſioners of Accounts.—Bills for confirming the commercial Treaty.—Petitions againſt it.—It is rejected.—The Malt-tax extended to Scotland.—The Scottiſh Members exaſperated,—make a Motion for diſſolving the Union.—Arguments and Obſervations.—The Motion rejected.—Addreſſes relative to the Pretender.—Application from the Queen for relieving the Debts on the Civil Liſt—granted.—Proceedings of the Convocation.—The Queen's Speech at the Prorogation of Parliament.—Character of this Parliament.

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ANOTHER ſeſſion of parliament, after ſeveral adjournments, was opened by the queen in perſon, on the 9th of April. She ſaid, that, from the aſſurances they had given her laſt ſeſſion, ſhe had been enabled to overcome all obſtructions to a general peace; and was happy to announce its accompliſhment. She obſerved, that the great length of the negotiations had afforded the allies ſufficient opportunity for adjuſting their ſeveral intereſts; that what ſhe had done for the proteſtant ſucceſſion, and the perfect friendſhip ſubſiſting between her and the houſe of Hanover, might convince all who wiſhed well to both, how impoſſible it was to divide them. She recommended to their care the brave men who had ſerved during the war; the providing of ſuch ſupplies as they judged requiſite; and the improving of the trade and manufactures of the country. She complained of the abuſe of the preſs, and ſuggeſted the expediency of a new law for ſtopping its progreſs; ſhe conjured them to uſe their utmoſt endeavours for calming the minds of the people, that the arts of peace might be cultivated; and no groundleſs jealouſies, fomented by party rage, might affect that which foreign enemies could not do.

Upon the motion for an addreſs of thanks in the houſe of lords, an objection was made to her majeſty's expreſſion of a *general peace*, as

as the emperor and ſome of the German ſtates had not been comprehended in it; but this was overruled by a great majority, as was alſo a propoſal requeſting, that the treaties of peace and commerce might be laid before the houſe[a]. The lords, though they avoided any explicit diſſent from her majeſty's ſentiments, did not enter into a ſpecific approbation of the peace, farther than related to its ſecuring the proteſtant ſucceſſion.

The addreſs of the commons contained a flattering recapitulation of the royal ſpeech, expreſſing their entire ſatisfaction with the peace, and their admiration of her majeſty's ſteadineſs, notwithſtanding the many difficulties contrived to obſtruct it. The example of the commons was followed by addreſſes from all the principal corporations in Britain, ſome of which, by praiſing the peace without reſerve, expoſed the ſubſcribers to the charge of inconſiſtency, when they afterwards came to parliament with petitions againſt the commercial treaty. 10th April.

The commons more cheerfully voted the ſupplies, becauſe conſiderable retrenchments had already been made in the public expences by a reduction of the army and navy. Bills were unanimouſly carried through both houſes, for granting to all the diſbanded privates the liberty of purſuing their ſeveral trades within all the towns and corporations in Britain; and for providing half pay for all the officers. The land-tax was lowered two ſhillings in the pound. The miniſters ſhewed great exactneſs and punctuality in the production of all the eſtimates, receipts, and diſburſements, from the period of their coming into power; and their reputation was promoted by the contraſt between their conduct and that of their predeceſſors, which was now exhibited to the public eye by two ſeparate reports from the commiſſioners of accounts, complaining of notorious abuſes in the former management of the revenue. Immenſe ſums had been loſt to the nation, by extravagant and unjuſt

10th, 17th, 20th. 24th April. 2d May. 23d April.

[a] Her majeſty afterwards did this without ſolicitation.

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juſt charges upon falſe muſters, both of the Britiſh and foreign troops in the pay of England; in which caſes, the agents of government had ſometimes been guilty of conſcious injuſtice, and ſometimes of criminal remiſſneſs, in not examining vouchers and certificates from perſons who had an intereſt in impoſing upon them. Exorbitant profits had been made on the remittances for the army; and by the long detention of the ſums iſſued by the treaſury for that purpoſe. Many frauds in the victualling and navy offices, which had been alluded to in the former reports, were now particularized and corroborated.

The facts, which were eſtabliſhed, relative to the management of foreign hoſpitals, brought to light examples of the moſt baſe and atrocious iniquity. In ſome inſtances, not a fifth or ſeventh part of the ſums charged to government had been applied for the miſerable objects of its deſtination; and, from the ſcantineſs and unwholeſome nature of proviſions, and the want of bedding and cloathing, an uncommon mortality had repeatedly conſumed the reinforcements ſent to Spain. Many had been admitted into the hoſpitals at home who were not qualified according to the deſcription of the founders; and the penſioners were defrauded, both in the quantity and quality of their proviſions, by the avarice of the contractors.

Two inſtances were ſpecified of public offices having been promiſed for a ſum of money to the perſons who undertook to ſolicit and procure them from the court; and one of the charges was clearly brought home to a nobleman, who had diſtinguiſhed himſelf by his zeal in the cauſe of the Whigs. Mr. Hutchinſon declared upon oath, that he had promiſed and paid the earl of Wharton a thouſand pounds, for procuring his appointment to be regiſter of ſeizures, through the influence of the earl of Godolphin. The houſe of commons, on conſidering this clauſe of the report, reſolved that the earl of Wharton had been guilty of ſcandalous corruption; but found themſelves reſtrained from any further procedure in the

buſineſs

buſineſs by the act of indemnity, which had taken place poſterior to the date of his offence[2].

In judging of the various charges now deſcribed, we ought to advert to thoſe circumſtances, which, though they do not exculpate the perſons accuſed, certainly tend to diminiſh the high aggravations imputed to them; and to reſtrain that indiſcriminate condemnation of the late miniſters, which was intended by the framers of the report. The chief members of the preſent adminiſtration were actuated by a keen reſentment againſt their predeceſſors; and, at the ſame time, being impreſſed with the apprehenſion of cenſure impending over their own heads on account of the peace, became the more anxious to fix the public attention upon the obliquities of others. Furniſhed with copious materials of information, no ſlip of conduct eſcaped their inquiſitorial eye, while, in tranſactions of ſo wide a compaſs and of ſo complicated a nature, examples of groſs abuſe and miſmanagement certainly occurred, and were painted in the deepeſt colours of guilt[3]. Of theſe, ſome, committed by agents in the foreign ſervice, probably did not come under the knowledge of the miniſters at home; and others, upon diſcovery, had been puniſhed by the diſmiſſion and diſgrace of the offenders. Several irregularities in the management of the revenue had been condemned and aboliſhed by the late treaſurer[4]. In a few inſtances, unlawful and pernicious indulgences, eſtabliſhed by ancient and uninterrupted uſage, were uncandidly ſtated in crimination of the late cabinet, as if it had firſt introduced them. But, after admitting every apology ſuggeſted by theſe obſervations, there ſtill remain ſo many well-atteſted inſtances

[2] Journals of the Commons, 10th May. A contemporary hiſtorian makes the following obſervation on this reſolution: "In this "cenſure ended the ſtorm, which, for ſome "time, had threatened that great patriot, "who looked down with contempt on the "impotent malice of his enemies." Political State, vol. v. p. 325.

[3] General Stanhope's Anſwers to the Commiſſioners ſent to Spain. Political State, vol. vii. p. 270.

[4] The practice of muſtering the troops complete, and iſſuing proportional pay while they were notoriouſly defective, was authorized by the generals, who pretended to diſburſe the ſurplus money in recruiting the army. Lord Godolphin diſapproved of it; but was overruled by his colleagues.

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of fraud and defalcation, as muſt impreſs the reader with full conviction of the guilt of ſubordinate agents, and the criminal connivance or negligence of ſome of the late miniſters. This is a portion of hiſtory which ought not to be ſuppreſſed, becauſe it contains the moſt profitable inſtruction to members of the legiſlature; by admoniſhing them not to repoſe an implicit confidence in any ſet of leaders, notwithſtanding the moſt ſpecious pretenſions, and the general propriety of their meaſures. Abuſes never could have advanced to ſuch a pitch, if the repreſentatives of the nation had not, as well as their conſtituents, been dazzled with external exploits, and diverted from that vigilance and ſcrutiny, which are neceſſary to counterpoiſe the ſtrong temptations to corruption, encompaſſing the ſeat of power.

The perſons now in authority found it more eaſy to impeach the conduct of their predeceſſors, than to ſecure the approbation of thoſe meaſures in which their own intereſt and character were involved. With a precaution which they did not always obſerve, and perhaps from a foreſight of the ſtrong objections to which the eighth and ninth articles of the commercial treaty were liable, they had agreed to them only upon the condition of their receiving the ſanction of parliament[s]. By theſe articles, the ſubjects of Great Britain and France were reciprocally to enjoy, in all the countries belonging to theſe reſpective kingdoms, the ſame commercial privileges with the moſt favoured nations; and all duties and impoſts were to be regulated according to the tariff eſtabliſhed in 1664, with the exception of ſuch goods as ſhould be ſpecified and agreed to by commiſſioners of both kingdoms, who were to meet for that purpoſe, as well as for removing other obſtructions to the treaty. A motion was made in the houſe of commons for bringing in a bill to render effectual the

24th May.

[s] It was the opinion of lord Oxford, that theſe articles, relative to the taking off the duties on imported goods, could not be finally ſettled without referring them to the parliament, by whom the ſeveral duties had been impoſed and appropriated. His remaining neutral, when the ſubject was agitated in parliament, gave offence to his colleagues. Conduct of Oxford, p. 88, 89.

eighth

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eighth and ninth articles of the commercial treaty, which, after a warm debate, was carried by a great majority.

It was urged by its oppoſers, that former experience atteſted the pernicious effects of a free trade with France; that England had loſt near a million yearly, while ſuch a trade ſubſiſted during the reign of Charles the Second, which induced the parliament, after the revolution, to impoſe ſuch heavy duties as nearly amounted to a prohibition of many articles imported from thence; that the French wines, paying no higher impoſt than thoſe of Portugal, and being brought to England at half the expence for freight, would entirely ſupplant the latter, and deſtroy the lucrative trade of Britain with that kingdom; that ſilk, linen, and paper, in conſequence of the lower wages in France, would be ſold cheaper than the ſame manufactures in England, to the ruin of many thouſand families who ſubſiſted by them.

On the other ſide, the advocates for the motion argued in a liberal ſpirit, that all reſtrictions upon trade were not leſs repugnant to the intereſts of communities than they were to the principles of juſtice and benevolence; that the reciprocal and free communication of local benefits muſt, in the reſult, promote the extenſive and permanent proſperity of all who contributed to it; they denied the effect of the treaty in obſtructing the trade with Portugal, and contended, that the demands of France for woollen goods, the ſtaple of Britain, in caſe of the confirmation of the treaty, would put an end to the attempts of her foreign rivals, and increaſe the number and profit of her manufactures.

Few queſtions, agitated in parliament during this reign, intereſted the public attention more than the ſubject of this bill. A general alarm was excited, as if the very being of the nation had depended ſolely upon the iſſue of it. There was hardly a trading company, or any deſcription of manufacturers, that did not preſent petitions

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againſt it[6]. The preſs was occupied with publications on both ſides[7]; but thoſe which oppoſed the treaty were more generally read and favoured. The weight of public opinion prevailed againſt the influence of the miniſters; many of their friends deſerted them[8]; and, when the motion was made for engroſſing the bill, it was negatived by a hundred and ninety-four againſt a hundred and eighty-five. The victory of the Whigs was celebrated with public rejoicings almoſt in every town; and afforded them the proſpect of riſing again to power by that agency which had contributed to their fall[9].

18th June.

The extenſion of the malt-tax to Scotland was productive of effects, which conſpired, with the fate of the commercial treaty, to embarraſs the miniſters, and to ſtrengthen the intereſt of their oppo-

Article 14th.

nents. It had been ſtipulated at the union, that the Scots ſhould not be ſubjected to the payment of that tax during the continuance of the war; and, as the peace with Spain, though in agitation, was not yet completed, it was expected, that a kind interpretation of the treaty would have induced the miniſters to poſtpone a demand, which, from local ſituation, was more burdenſome to the people of Scotland than to their fellow-ſubjects in England. It was alleged

[6] The Eaſt-India Company forms the only exception: they had intended to addreſs, but were prevented by a reſolution of the houſe of commons, at the inſtigation of miniſters, to bring in a clauſe, in the act for making effectual the 8th and 9th articles of the treaty, declaring that Eaſt-India goods were to be imported to France upon the ſame terms as the goods of the product and manufacture of Great Britain. Some of the petitioners were heard at the bar of both houſes. But the lords came to no reſolution, waiting for the deciſion of the commons. Political State, vol. v. p. 358. 364.

[7] A paper, in defence of the treaty, was publiſhed thrice a-week, by the title of *Mercator*, or *Commerce retrieved*.. It was aſcribed to Daniel Defoe. Another was publiſhed in oppoſition to this, called *The Britiſh Merchant*, or *Commerce preſerved*. It was compoſed by Henry Martin, who was aſſiſted by ſome eminent merchants, and by lord Halifax and general Stanhope. Tindal, vol. x. p. 20, &c.

[8] Sir Thomas Hanmer, who had firſt been for the treaty, after the ſecond reading, voted againſt it. Some, we may believe, changed their opinion from conviction; but many were afraid of loſing the favour of their conſtituents at the approaching election. Memoirs of the Four Laſt Years, p. 210, &c.

[9] Political State, vol. v. p. 389.

that

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that the malt in Scotland, from the inferior quality of the barley, was not above a third part, or one half of the intrinſic value of that which was made in England; and, conſequently, the tax being adjuſted to meaſure, that the Scots were in reality to pay it in a double, or triple proportion [10].

To the exaſperated Scotſman, nothing leſs than a diſſolution of the union appeared an adequate retribution for oppreſſively ſubjecting his country a few months prematurely, or, in an aggravated proportion, to an impoſition which could not be finally eluded. And now we behold a ſtriking example of that ſtrange viciſſitude of ſentiment, and dereliction of principle, which render the hiſtory of faction ſo diſguſting to every pure mind. The whig miniſters, and ſome of the moſt diſtinguiſhed perſons among the Scottiſh nobility, who had, by their joint efforts, accompliſhed the arduous work of uniting the two kingdoms, now conſpired to overturn it, and to ſport away the honours which they had acquired by rendering this meritorious ſervice to their country [11].

The grievances of Scotland having been introduced in the courſe of a debate on the ſtate of the nation, a motion was afterwards made by lord Seafield for leave to bring in a bill to diſſolve the union, and to ſecure the proteſtant ſucceſſion in the houſe of Hanover, which was vehemently ſupported by the Whigs and the Scottiſh peers; while the Tories, who had originally oppoſed the union, ſpoke againſt

1ſt June.

[10] Memoirs of the Four Laſt Years, p. 222.

[11] "The Tories, who voted with the lord "treaſurer againſt the diſſolution of the union, "were under perplexity, leſt they ſhould be "victorious; and the Scots, who voted for a "diſſolution, were under agonies leſt they "ſhould carry the point they pretended to "deſire." Swift's Letters, vol. i. p. 239. Letter 96, 2d June 1713.

The duke of Argyle, the earl of Marr, Mr. Lockhart, and Mr. Cockburn, waited upon the queen and declared, that laying ſuch an inſupportable burden, as the malt-tax, upon Scotland, would raiſe diſcontents there to ſuch a height, as to prompt them to declare the union diſſolved. Political State, vol. v. p. 348. Though the queſtion was carried againſt the Scots, the queen was ſo much alarmed by their threats, that aſſurances were privately given them that the tax ſhould not be exacted. Memoirs of the Four Laſt Years, p. 225.

againſt

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its diſſolution. The latter were fairly entitled to plead, that there was an obvious and wide diſtinction between oppoſing any contract or tranſaction while yet in dependence, and cancelling and undoing it after it had been once eſtabliſhed. No ſuch apology can be made for the inconſiſtency of the Whigs.

The ſolemnity with which the union had been tranſacted, and the incompetency of the legiſlature to repeal it, were the chief arguments uſed by the members who oppoſed the motion. The grievances of the Scots were urged by its ſupporters; and, whereas the ſecurity of the Hanoverian ſucceſſion had been inſiſted upon, as the ſtrongeſt reaſon for incorporating the two kingdoms, it was now pled with a ſophiſtical effrontery, that their ſeparation would moſt effectually contribute to that end. By recogniſing the proteſtant ſettlement, Scotland would become a guarantee for its execution; and, in caſe of the ill deſigns now aſcribed to the miniſters, afford a refuge to the friends of the houſe of Hanover [12].

30th June, and 3d July.

As the danger of the proteſtant ſucceſſion was the fitteſt engine for rouſing the paſſions of the people, the Whigs loſt no opportunity to bring it forward. Two addreſſes to the queen were preſented by the houſe of lords, and one by the commons, beſeeching her to uſe the moſt preſſing inſtances with the duke of Lorrain, and all the other princes in amity with her, not to ſuffer the pretender to reſide within their dominions. Although the queen anſwered theſe addreſſes in expreſſions of courteſy, they could not fail to give her deep concern. They were calculated to excite ſuſpicions concerning the truth of the declarations which ſhe had often repeated relative to the proteſtant ſucceſſion; and, ſuppoſing that ſhe had no intention to change it, yet what muſt ſhe have felt, when conſtrained to do violence to nature; and to condemn, to a ſtate of vagrancy and perſecution, a brother unfortunate and degraded, not for any demerits

[12] Life of Argyle, p. 136. Hiſtory and Defence of the laſt Parliament, p. 250. Lond. 1713.

of his own, but on account of the infatuation and miſconduct of their common parent [13].

1713. 25th June.

A meſſage was ſent by the queen to the commons, repreſenting, that ſhe had been under the neceſſity of running into arrears in the payments due upon the civil liſt; for defraying which, ſhe truſted to the generoſity of her people. The Whigs did not neglect the opportunity, afforded by this unexpected application, of deriding the pretenſions to moderation and œconomy, to which the preſent miniſters were ſo much indebted for the good opinion of the country gentlemen. It was aſſerted by Mr. Smith, one of the tellers of the exchequer, that the debts of the civil liſt, now ſtated at four hundred thouſand pounds, had not amounted to the half of that ſum, two months before the date of the preſent eſtimate; and, as the miniſterial influence had been privately exerted to counteract an addreſs from the commons for exhibiting a ſtatement of the arrears of the civil liſt funds, and the debts ſtanding out againſt it, and no anſwer had been given to the addreſs when preſented, it was ſuſpected, that the money wanted had either been ſquandered on ſome ſecret ſervice, or that it was deſtined for ſupporting the miniſterial candidates at the enſuing elections [14]. A bill however was brought in, to 26th June. enable her majeſty to raiſe a ſum of five hundred thouſand pounds for diſcharging theſe arrears, and conjoined with the bill for raiſing

[13] The queen, on different occaſions, diſcovered a tenderneſs for her brother. Sir George Byng, when he was ſent after the French fleet in 1708, had no inſtructions relative to the perſon of the pretender. When the ſubject was taken into conſideration by the privy council, the queen appeared greatly agitated, and ſhed tears, which prevented all further deliberation, and the council broke up in great confuſion. Tindal, vol. x. p. 243.

[14] The embarraſſments in the civil liſt were probably occaſioned by her majeſty having privately agreed to pay the dowager queen the arrears of certain ſums, which the late king James, by letters patent, 28th Auguſt 1685, had granted to the earls of Rocheſter, Peterborough, and Godolphin, &c. in truſt for his queen. By an act of parliament, after the revolution, theſe ſums had been appropriated for the uſe of the royal houſehold; but, as the act contained a ſaving clauſe, in behalf of all who had any juſt claim upon that part of the revenue to which it referred, her majeſty thought herſelf juſtifiable in granting a warrant directed to the lord treaſurer for paying it according to its original deſtination, which, conſequently, occaſioned a deficiency in the money neceſſary for the houſehold expences. Compare Article 20th of Lord Oxford's Impeachment with his Anſwer. Hiſtory of Impeachments, p. 210, 313.

one

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one million two hundred thouſand pounds for the circulation of exchequer bills. Owing to this circumſtance, it paſſed more eaſily than was expected from the oppoſition it met with at firſt [15].

Party ſpirit ſtill continued to rage in the convocation during this ſeſſion, and betrayed the lower houſe into irregularities highly diſreſpectful to their ſuperiors. They refuſed to concur with the addreſs of the biſhops to the queen, and aſſigned ſuch reaſons for their refuſal, as amounted to an impeachment of the loyalty of its authors. They complained, that the addreſs was deficient in expreſſions of confidence in her majeſty; and could not admit of any alterations, to render it worthy of their concurrence; and they ſubſtituted a form of their own, to which they ſolicited the aſſent of the upper houſe. In going thus far, they advanced to the utmoſt pitch of arrogance, authorized by precedent. But here they did not ſtop; for, after a prorogation for the purpoſe of reſtoring harmony to that aſſembly, their prolocutor, attended by a number of the members, preſented their addreſs to the queen, which, to the mortification of the biſhops, met with a gracious reception. Encouraged by this mark of royal favour, they entered upon a vindication of their own conduct, and appointed a committee to draw up an account of their proceedings in the two former ſeſſions, in order to ſhew the averſion of the biſhops to concur with their ardent profeſſions of loyalty; and with their deſire to promote internal reformation and extenſion of diſcipline, which was the peculiar and appropriate province of the convocation [16]. This report, which was

[15] A bill to prevent duelling was brought in and once read in the houſe of commons, 16th May, but afterwards dropt. It was occaſioned by a duel between the duke of Hamilton and lord Mahon, in which both fell, 15th November 1713; and as this happened ſoon after the duke's being appointed ambaſſador extraordinary to the court of France, 29th Auguſt, it was maliciouſly imputed to the Whigs, as if they had been afraid of his promoting the intereſt of the pretender. Political State, vol. iv. p. 299.

[16] Political State, vol. v. p. 294, &c. The lower houſe of convocation diſcovered great zeal for reſtoring the vigour of eccleſiaſtical diſcipline, which was probably the cauſe of a bill being introduced in the houſe of lords, for preventing the frequent denunciation of excommunication. It paſſed there, and was returned from the commons with ſome amendments, but afterwards delayed from time to time, and finally dropt. Journals Lords and Commons, July.

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publiſhed and diſperſed with great induſtry, had the deſired effect of attracting the attention of the laity, and confounding eccleſiaſtical diſputes with thoſe of a political nature. While the Tories juſtified the conduct of the lower houſe, the Whigs condemned it, as contrary to the conſtitution of the Engliſh church, and the fundamental principles of an epiſcopalian eſtabliſhment [17].

From the hiſtory of this ſeſſion of parliament, we have ſeen, that the miniſters were loſing ground in the houſe of lords; and that, upon the occurrence of more intereſting queſtions, their ſuperiority in the commons was more precarious than it had been during the two preceding years. Their influence however was ſtill kept alive by the preferments beſtowed upon their adherents [18], and by the ſatisfaction which the queen teſtified with their meaſures at the prorogation of parliament. She thanked both houſes for the good ſervice they had done the public; and acknowledged particular obligations to the commons for their affection and duty to her, and for their regard to the intereſt of their country, by which they had ſhewn themſelves the true repreſentatives of a loyal people. As this parliament was not to meet again, theſe expreſſions were underſtood, as an earneſt, though indirect recommendation from her majeſty to the electors, in behalf of the ſame members, and ſuch as adhered to their principles. 16th July.

The houſe of commons, in the fifth parliament of the queen, was chiefly compoſed of country gentlemen, in the tory intereſt, who were ſtrongly prepoſſeſſed for every meaſure tending to the cenſure of the whig miniſters, and the future depreſſion of that party. Their zeal for theſe objects rather ſurpaſſed that of the new cabinet, and conſtrained ſome of its members to deviate from the moderation

[17] It appeared inconſiſtent with the ſubjection of preſbyters to biſhops, to contend for the independent rights of the lower houſe of convocation.

[18] On the 30th April, the duke of Athole was made privy ſeal for Scotland; on the 10th of June, the duke of Ormond warden of the cinque ports; Dr. Atterbury, biſhop of Rocheſter; Dr. Smalridge, dean of Chriſt's Church. In January 1718, lieutenant-general Compton was made lieutenant of the Tower in the room of lieutenant-general Cadogan. In April, the lord-keeper Harcourt was appointed chancellor of Great Britain.

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which, after having eſtabliſhed their own authority, they were inclined to exerciſe towards their predeceſſors. Impatient at the ſlow pace with which lord Oxford proſecuted the diſmiſſion of the Whigs, the tory members, after the firſt ſeſſion, entered into clubs and aſſociations, which were not leſs alarming to the miniſters than the oppoſition they met with from the party diſplaced; and hardly left them any choice, but the reſignation of their power, or a thorough compliance with violent meaſures, urged by their abettors. Hence, during the ſecond ſeſſion, abuſes were inveſtigated with the moſt eager and acrimonious diligence. Such proceedings, however, muſt not be aſcribed entirely to the pique and rage of party. Individuals, and collective bodies, even when actuated by the beſt intentions, are too prone to judge of the ſtate of public affairs by the ſtandard of their own private intereſt and feelings. The burdens of the war fell heavy upon the gentlemen of landed property: their rents were curtailed; and their pride was offended, with a new ſet of men, under the patronage of their antagoniſts, riſing above them in opulence and power. They obſerved, that the whig miniſters, deriving acceſſion of ſtrength from the monied intereſt, were bent upon the continuance of the war, increaſing in expence every campaign, while both the attainment and advantage of the object, for which it was purſued, became more precarious and contravertible. Under the influence of patriotiſm, tinged however with ſelfiſhneſs and prejudice, they were unfortunately open to the ſnares of ſupineneſs and negligence on one ſide, and of intemperance and precipitancy on the other. Anxious for peace, they truſted too much to the diſcretion of the agents employed to accompliſh it. Provoked at the late miniſters for prolonging the war, to the injury of their private fortunes and the public good, they believed all the delinquencies imputed to them without a ſcrupulous examination of evidence; and became, in ſome inſtances, the inciters, and, in others, the tools of miniſterial reſentment againſt individuals who had merited well of their country; or, in the worſt view, who were culpable only for their conniving

niving at abuſes committed by ſome of their partiſans, undeſerving of their confidence, or of any public truſt.

It cannot be denied, that to throw contempt on the Whigs, this houſe of commons ſometimes deſcended into mean partialities, degrading to the dignity of the legiſlative body [19]. But, with all their prejudices and imperfections, they rendered eminent ſervices to the public, and ſuch as could not have been performed by their predeceſſors without departing from the political ſyſtem to which they had always adhered. The circumſtances of the nation loudly called for peace; and the treaty of Utrecht, though liable to many objections, was certainly preferable to the continuance of the war, which muſt have happened, if the whig parliament had been prolonged to its legal term of diſſolution. It ought alſo to be mentioned in honour of this houſe of commons, that, though fond of peace, they did not withhold or delay the neceſſary ſupplies while the war laſted; and that they diſcovered a manly independence, by rejecting the commercial treaty to the great mortification of the miniſtry.

As the majority of the houſe were of high church principles, they were inclined to go every length againſt the diſſenters; but, while the miniſters pauſed, the Whigs anticipated the deſire of the bigots; and, by the bill for better ſecuring the church of England, participated of that illiberal ſpirit, which had hitherto been conſidered as the diſtinctive reproach of the Tories. The acts, which affected the ſtate of religion in Scotland, originated in the houſe of commons, and proceeded from their partiality for epiſcopacy; but they certainly did not exceed that extent of indulgence, which, in conformity to the wiſeſt maxims of policy, as well as of juſtice, every legiſlature ought to grant to diſſenters who are not inimical to the ſtate.

[19] They deſired Dr. Sacheveral to preach before them on the 29th May, being the anniverſary of the reſtoration of Charles II.; and, according to form, thanked him for his ſermon. Journals Commons, 2d and 30th May.

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State of Parties in Ireland.—Views of the Diſſenters.—Introduction of High and Low Church Party.—The Earl of Wharton appointed Lord Lieutenant.—A Seſſion of Parliament.—Addreſs of the Commons in Behalf of Trinity College Dublin—Againſt the Reverſal of Attainders.—Proceedings againſt Roman Catholics.—Convocation.—Parliament prorogued.—Another Seſſion.—Turbulent Spirit of the People.—King William's Statue defaced.—Duke of Ormond appointed Lord Lieutenant.—His Popularity.—The Tories increaſe.—Seſſion of Parliament.—Addreſſes.—Supplies, &c.—The Commons cenſure the Addreſs of the Lords—Inſtitute an Inquiry into the Conſpiracy in Weſtmeath.—Diſputes between the two Houſes on this Subject.—Circumſtances tending to the Diſcouragement of the Whigs.—Interference of the Privy Council in the Election of the Magiſtrates of Dublin.—Partiality and Violence of Sir Conſtantine Phipps.—Licentiouſneſs of the Preſs.—Caſe of Mr. Higgins.—Proceedings of the Lords.—Convocation.—Survey of this Parliament.—Struggle of Parties.—The Duke of Shrewſbury appointed Lord Lieutenant—Encourages the Whigs.—Elections for a new Parliament.—It meets.—The Commons make Reſolutions cenſuring the Conduct of the Privy Council—Addreſs the Queen againſt Sir Conſtantine Phipps.—Counter-Reſolutions of the Lords.—Parliament prorogued.

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THE diviſion of parties in Ireland, for ſome conſiderable time after the revolution, was founded ſolely upon religious principles. The great ſuperiority of the Roman catholics, in number, over-awed the proteſtants, and controlled that ſectarian zeal and intolerant diſpoſition among themſelves, which would have weakened their ſtrength, and increaſed their common danger. Whatever might be the private ſentiments of ſome among the eſtabliſhed clergy, yet a ſenſe of intereſt required their acting upon the maxims of low church, and obſerving moderation and lenity in their conduct towards the proteſtant diſſenters. A few indeed of the lower order, having been educated in England and expecting to be recalled to preferment

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preferment under the patronage of the Tories, made ſome attempts to inſpire their adherents with a jealouſy and hatred of the preſbyterians; and to propagate thoſe diſtinctions among the members of the Iriſh church, which had been nurtured by enthuſiaſm and faction, in the neighbouring kingdom. This ſpirit, which began to manifeſt itſelf in the convocation at Dublin in the year 1704, was ſucceſsfully checked by the whig miniſters, who entirely engroſſed the court intereſt, during the 2d and 3d ſeſſions of parliament held there in the courſe of this reign.

The ſame influence, however, which counteracted the endeavours of the high-church party, inſpired the proteſtant diſſenters with the hopes of extending their political power, and participating in the official benefits which had hitherto been reſtricted to the members of the eſtabliſhment. The appointment of the earl of Wharton, a diſtinguiſhed patron of religious liberty, to the office of the lieutenancy, ſeemed to furniſh them with the moſt favourable opportunity for realizing their hopes, and ſuggeſted the idea of applying to the Britiſh parliament for a repeal of the teſt act; and for a more liberal toleration to the Iriſh nonconformiſts, than what was enjoyed by perſons of the ſame deſcription in England [1].

5th Nov. 1708.

The triumph of the high church party in the affair of Dr. Sacheveral, and the ſubſequent change of the miniſtry, not only thwarted the expectations of the Iriſh diſſenters, but rouſed and fomented a ſpirit of rancour againſt them, which diſplayed itſelf in all the future meetings of the convocation. Nor was it long confined to the eccleſiaſtical body: the country gentlemen began to be diſtinguiſhed by the names of high and low church; and a conſiderable party in the houſe of lords eſpouſed a ſyſtem of meaſures, evidently calculated for the depreſſion of the diſſenting intereſt. The vacant offices in Ireland were filled, by the Engliſh miniſters, with perſons whoſe political ſentiments were congenial with their own; and the Iriſh

[1] Archbiſhop of Dublin's Letter to Dr. Swift, 20th Nov. 1708. Archbiſhop King's to the ſame, Feb. 10, 1709.

proteſtants

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1708. proteſtants were divided, and embroiled with all the party zeal and contention which prevailed in the mother country. The facts, which I am going to recite, will illuſtrate theſe aſſertions.

1709. The earl of Wharton, appointed ſucceſſor to the earl of Pembroke, opened the fourth ſeſſion of the Iriſh parliament on the 5th May 1709[2]. After recommending the neceſſary ſupplies; putting the fortifications in a better ſtate of defence; and providing a ſufficient quantity of warlike ſtores; he called their attention, particularly, to the great inequality between the Roman catholics and the proteſtants with reſpect to numbers; and reminded them of the ſanguinary diſpoſition of the former as often as they had an opportunity to gratify it[3].

6th May. Both houſes addreſſed the queen, expreſſing congratulations for the ſucceſs of her majeſty's councils and arms, with aſſurances of their loyalty and entire ſatisfaction with the appointment of the earl of

12th and 23d May. Wharton. A ſupply of ſeventy five thouſand pounds was voted for the neceſſary branches of the eſtabliſhment, and for buying arms, ammunition, and warlike ſtores for the militia.

[2] The earl of Wharton's father was a preſbyterian, and, though the ſon profeſſed himſelf a churchman, yet he was a warm friend to the diſſenters; and it is ſaid, made the abandoning of the bill againſt occaſional conformity a condition of ſupporting the earl of Godolphin. Life of Wharton, p. 37. 40. He had been a great inſtrument of the revolution, and was made comptroller of the houſehold, which he held during king William's reign, but never was truſted with any miniſterial office. He was diſmiſſed, and his name ſtruck out of the liſt of the privy council, ſoon after the queen's acceſſion, but promoted to a higher rank in the peerage, and reſtored to place, when the miniſtry aſſumed the character of Whigs. Id. p. 36. 56. "The earl had fine "talents and great wit, but all was thrown "away by his want of principle and levity." Walpole's Catalogue, vol. ii. p. 130.

The celebrated Mr. Addiſon entered firſt into public office as ſecretary to the earl of Wharton, and after his arrival at Dublin became acquainted with Dr. Swift, whoſe political principles, at this time, were ſuppoſed to be the ſame with his own. In teſtimony of his eſteem and friendſhip for Swift, Mr. Addiſon recommended him warmly to the patronage of the lord lieutenant, who appointed him his chaplain. Oldmixon, vol. ii. p. 415—26. Life of Wharton, p. 64. Politics divide the deareſt friends, and unite perſons of the moſt diſcordant affections. The principles and temper of the earl of Wharton and Mr. Addiſon form a perfect contraſt to each other, but the ſecretary was a warm abettor of all the meaſures patroniſed by his maſter. Swift's Letters, vol. i. p. 223. Moleſworth's Letters, p. 44. Lond. 1721.

[3] Annals Anne, May 1709. His excellency, with an irony unbecoming the ſolemnity of ſuch an addreſs, called it the *good nature* of this ſort of men, namely, the Roman Catholics.

An

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An accident, which had lately happened in the univerſity of Trinity college near Dublin, gave the commons an opportunity of ſhewing their attachment to revolution principles; and for rebuking that defection from them which had lately broke out with alarming violence in every part of the kingdom. Edward Forbes, a fellow of that college, had been expelled by his colleagues for ſpeaking diſhonourably of the memory of king William. Such an example of patriotic zeal, at a ſeaſon when many were ſuſpected of diſloyalty, the commons thought deſerving of ſome marked teſtimony of praiſe, and addreſſed the lord lieutenant, to lay before her majeſty their humble deſire, that five thouſand pounds might be conferred on the provoſt and fellows, for erecting a public library there to encourage ſound literature, and revolution principles.

The reſolutions of the lower houſe, relative to the palatines, who had lately arrived from England, contained the fulleſt approbation of the ſentiments of thoſe who ſent them, and who ſtill held the reins of government. The commons expreſſed a tender regard for thoſe unfortunate men, whoſe principles and ſufferings claimed the hoſpitality of the humane in every country; and particularly of the Iriſh proteſtants, who had themſelves ſuffered under the rod of oppreſſion. They rejoiced in the acceſſion of a body of proteſtant ſubjects, as contributing to the intereſt of true religion, and the ſecurity of the kingdom; and to encourage them to ſettle in Ireland, voted a ſum of five thouſand pounds per annum, to be diſtributed among them, and to be made good in the next aids granted to her majeſty [4].

So far the commons acted upon principles of generous policy; but other meaſures, proſecuted by them in the courſe of this ſeſſion, diſcovered a ſpirit of ſelf-intereſt and vindictive ſeverity, which certainly detracted from the applauſe due to the meaſures now recited.

[4] Journ. Com. paſſim. 23d and 24th Auguſt. The Engliſh miniſtry rather treſpaſſed upon the generoſity of the Iriſh commons; and, inſtead of five hundred palatine families, the number expected and provided for, above eight hundred were ſent to Ireland. Report of the Sub-Committee appointed to inſpect the Accounts of Money diſburſed for the Palatines. Journ. Com. 28th July 1711.

They

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They entreated her majeſty not to liſten to any ſolicitations in behalf of thoſe perſons, who had been attainted for treaſon in the year 1641 and the year 1688, though it was well known that many of them had been condemned upon deficient and falſe evidence. Under the title of an act for explaining a former one to prevent the farther growth of popery, they gave new ferocity and more extenſive ſcope to every exiſting law, againſt the numerous and unfortunate votaries of that religion [5].

3d and 20th June.

23d and 30th Auguſt.

The houſe of lords concurred with the zeal of the commons; and, to recommend themſelves to the favour of the lord lieutenant, who abhorred every taint of ſuperſtition, they committed the biſhop of Raphoe to priſon, becauſe he had proteſted againſt their doing buſineſs on the 28th of June, which was the anniverſary of the feſtival of St. Peter and St. Paul [6].

[5] By this act, Roman catholic proprietors were made incapable of mutilating or alienating their eſtates, which, in terms of the act of the ſecond year of her majeſty's reign, were to deſcend to the next proteſtant heir, by ſettling annuities upon their popiſh children or relations.

The high court of chancery was empowered, from time to time, to aſcertain the value of the eſtates poſſeſſed by Roman catholics; and to make a proportional proviſion, both for the immediate and future maintenance of ſuch of their children as had been converted to the proteſtant religion.

Perſons who profeſſed to turn from the popiſh to the proteſtant religion, were not to enjoy the benefits of converſion, unleſs, beſides producing the certificate of the biſhop of the dioceſe as directed by a former act, they received the ſacrament of the Lord's Supper, according to the order and uſe of the church of Ireland, within ſix months after making their declaration.

To encourage the wives of the Roman catholics to abandon the religion of their huſbands, they were, upon their deceaſe, to be entitled to ſuch proviſion and jointure out of their eſtates and perſonal effects, as the lord chancellor ſhould think reaſonable and fit, notwithſtanding any teſtament, alienation, or diſpoſition to the contrary, made in the lifetime of the huſband.

All papiſts, convicted of teaching ſchools, or of aſſiſting as uſhers to proteſtant ſchoolmaſters, were to be ſubjected to the ſame penalties as popiſh regular clergymen.

The former acts for preventing popiſh prieſts coming into the kingdom, which had only a temporary authority, were made perpetual.

High rewards were enacted, for encouraging informers againſt Roman catholic delinquents. The powers of juſtices of peace, to apprehend ſuſpected perſons, were greatly extended. Great encouragement was given to ſhip-maſters for tranſporting convicted perſons to foreign plantations. No papiſt permitted to follow any craft or trade, within the kingdom, was allowed to keep more than two apprentices at a time.

[6] The lord lieutenant was blamed for this wanton ſeverity. As he did not himſelf profeſs any reverence for holidays, this meaſure, if not ſuggeſted by, was ſuppoſed to be highly acceptable, to him.

Not-

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Notwithſtanding theſe diſcouragements, the ſpirit of toryiſm was ſtill alive in the eccleſiaſtical aſſembly, which now began to enter, with great warmth, into the ſame tract of diſputation that had been purſued by the Engliſh convocation; but it was rendered abortive by an order for prorogation, while the parliament yet continued ſitting. After the ſeveral ways and means for furniſhing the ſupplies were voted, the lord lieutenant expreſſed the fulleſt ſatisfaction with the proceedings of this ſeſſion; and having cloſed it by prorogation on the 30th Auguſt, in a few days thereafter returned to England[7]. The whig intereſt was greatly advanced in Ireland, under the government of the earl of Wharton, by the preferments conferred upon its adherents, and the admiſſion of ſuch of them as were moſt diſtinguiſhed for rank and influence into the privy council[8].

5th Auguſt.

The iſſue of Dr. Sacheveral's trial, and the increaſing popularity of their friends in England, again elevated the hopes of the Iriſh Tories; but before they had time to form any plan for collecting their ſtrength, or making any public efforts as a party, they were confounded and diſappointed by the arrival of the earl of Wharton, who was ſent back to open another ſeſſion of parliament[9].

May 1710.

[7] The lord lieutenant concluded his ſpeech at the prorogation of parliament, by declaring to them that it was her majeſty's will and intention, that diſſenters ſhould not be perſecuted or moleſted in the exerciſe of their religion.

It appears from the journals of the commons, paſſim, and particularly 29th Auguſt, that it had been optional to the ſubjects of Ireland, to apply either to their own parliament, or that of Britain, for private bills. The commons complained of the exorbitant fees for paſſing private bills in the houſe of lords in Ireland, as the occaſion of having recourſe to the Britiſh parliament, and they moved for a bill to reduce the fees. To ſuperſede this meaſure, the lords agreed, at a conference, to regulate and aſcertain the fees of their officers for paſſing private bills; and that it ſhould be one-fourth leſs than in Britain.

[8] Life of Wharton, p. 78.

[9] From the earl of Wharton's being ſent back to Ireland, it is probable that the principal perſons, lately introduced into power, did not then deſpair of a coalition with the Whigs. The earl of Wharton was celebrated for his buſtling, intriguing ſpirit at elections; and Mr. Harley might think it expedient to have him removed at a diſtance while the general elections were approaching. He ſpent a great part of his fortune (12,000*l.*) in ſupport of the Whigs at the preceding general election. Life of Wharton, p. 41. 74.

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It met at Dublin on the 19th of May, and the chair of the houſe of commons having become vacant by the promotion of Allen Broderick to be chief juſtice of the queen's bench, Mr. Forſter, the attorney general, entirely devoted to the whig miniſters, was choſen ſpeaker without any oppoſition. The addreſſes of both houſes to the queen contained the warmeſt expreſſions of loyalty and gratitude: the ſignal ſucceſs of her arms was mentioned with heartfelt congratulation, and in terms particularly honourable to the duke of Marlborough. The ſtatement of the public accounts, by the committee

5th June. appointed for that purpoſe, was approved by the commons; a ſupply was voted, amounting to the ſum of one hundred and twenty thouſand, nine hundred and fifty-two pounds; and ſeveral acts paſſed, tending to the improvement of the police, agriculture, and manufactures of the country[10]. On the 28th of Auguſt, the earl of Wharton prorogued the parliament; and took his final leave of Ireland.

Although all had been quiet within doors, and the proceedings of parliament ſmoothly conducted, the ſpirit of party was daily gaining ground; and the Tories and high-churchmen began to rally their friends in every part of the country. Various attempts were made, after the example of their correſpondents in England, to kindle the flames of fanaticiſm, and to excite popular commotions. A ſtatue, which had been erected in the college green at Dublin, in honour of king William, after the battle of Boyne, was defaced during the

25th June. ſitting of parliament; and ſimilar outrages were committed in different parts of the kingdom. A proclamation was immediately publiſhed by the lord lieutenant, in compliance with the requeſt of the houſe of lords, offering a reward of one hundred pounds for diſcovering the rioters; and another to the ſame purpoſe by the corporation and

[10] Annals Anne, p. 208. It appears that miniſterial venality had riſen to a monſtrous pitch in Ireland, for a bill was brought in this ſeſſion, 7th June, to prevent the promotion of any ſpiritual perſon for reward, and buying and ſelling temporal offices relating to the execution of juſtice.

magiſtrates of Dublin, who repaired the ſtatue; and both received the thanks of the lords and commons [11]. CHAP. XXII.

1710.

While the removal of the earl of Wharton revived the hopes of the Tories, the nomination of the duke of Ormond to the lieutenancy operated for the conſolation of the Whigs. Independent of miniſterial patronage, he had by far the greateſt influence of any nobleman in Ireland. An hereditary veneration for the memory of his anceſtors, diſtinguiſhed for their patriotiſm and their moderation, when in power, as well as his own perſonal virtues; his generoſity, his magnificence, and his attachment to the reformed religion, rendered his name popular, while the great property he had at ſtake was conſidered as a pledge for the ſecurity of the proteſtant intereſt; and for repreſſing the licentiouſneſs of a party hoſtile to all the friends of the revolution [12]. 19th October.

1711.

The Whigs and Tories, equally ſatisfied with the choice the queen had made, vied with each other in profeſſions of attachment to the new lord lieutenant; and when he made his entrance into the city of Dublin, he was received by an immenſe multitude, with ſuch acclamations of joy as never had been diſplayed before on the like occaſion. It was, however, not a little ominous to the Whigs, who had cordially taken a part in this feſtivity, to hear the names of the new miniſters conjoined, by the giddy mob, with thoſe of the queen and the duke of Ormond, as if they had been all equally and indiſcriminately the objects of their affection [13]. Other circumſtances, which admit of no dubious interpretation, ſtill farther con- 3d July.

[11] Two young ſtudents were apprehended and convicted; they were fined each of them 100 *l.*, condemned to ſix months impriſonment, and expelled the college. Annals Anne, p. 226.

[12] He was grandſon of the duke, who was lord lieutenant during the greateſt part of the reign of Charles II. and ſon of the amiable earl of Oſſory. "He had attended king William in every campaign during the late war, "and gained more reputation by his generoſity, than other generals did by their arms. "He was ſo good-natured, that it was ſaid he "never knew how to refuſe any one who ſolicited him; the conſequence of which was, "that he was conſtantly ſurrounded with flatterers, and ſerved many undeſerving perſons." MSS. Characters.

[13] "God bleſs the queen, the duke of Ormond, and the new miniſtry, who have done "ſo much for the people." Annals Anne, p. 163.

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tributed to the uneaſy apprehenſions of that party. Several of the moſt violent Tories now ſtarted as candidates for miniſterial favour; and ſome perſons, who had no reputation with either party, began to affect a mighty zeal for the church and the monarchy, which appeared by no means diſagreeable to the court.

The Iriſh parliament met on the 9th of July 1711. The lord lieutenant anounced her majeſty's gracious compliance with an application from the Iriſh clergy, to remit the twentieth parts, and to grant the firſt fruits for purchaſing impropriations, as a proviſion for the enlargement of the proteſtant church, which might be expected to happen ſoon from the operation of the laws againſt popery [14]. He likewiſe gave notice of her majeſty's bounty to the college of Dublin, agreeably to the recommendation of the commons in the year 1709; he aſſured them of her majeſty's intention to preſerve the church of Ireland, and the Hanoverian ſucceſſion, and to concur in every meaſure for promoting the ſafety and honour of the kingdom.

14th July. A diſpute aroſe in the houſe of commons, on account of certain expreſſions in their addreſs to the queen, which appeared diſreſpectful to the whig miniſtry in England, lately diſmiſſed from office;

[14] Her majeſty's bounty to the clergy was aſcribed to the good offices of the lord lieutenant, and made him popular among all the friends of the church; but it was entirely owing to Dr. Swift's intereſt with Mr. Harley, and the aſſiduous application with which he purſued that buſineſs. Swift's Letters, paſſim, particularly Dr. King's to Swift, 27th October 1711. It ought to be mentioned in honour of Swift, that his influence with the miniſters was, indefatigably and effectually, employed in doing good offices to others. He had the ſatisfaction of having provided for fifty perſons of merit during the tory adminiſtration. Sheridan's Life of Swift.

Dr. Swift, prior to this period, had been reputed a Whig; and, when the Iriſh clergy, who had ſent him to London to ſolicit the remiſſion of the firſt fruits, heard of the change of the miniſtry, they were afraid that he would not ſucceed, ſuppoſing his principles to be adverſe to theirs. King's Letters to Swift. 2d and 30th Swift's Letters, No. 20. 25. 34. Sheridan's Life of Swift, p. 52. 58. 63. 109. 112. Oldmixon affirms, that Dr. Swift offered his ſervices to the earl of Godolphin, and would have written againſt Mr. Harley, but that the earl had a great contempt for pamphleteers, of which he afterwards repented. Oldmixon, vol. ii. p. 456. But as this author was a bigoted whig, and a virulent writer, his authority ought to be admitted with great caution. See alſo on this ſubject Secret Hiſtory of the preſent Miniſtry, p. 10, &c. Lond. 1715. Dr. Swift was undoubtedly piqued on account of his merits being overlooked by the earl of Wharton, from whom he expected more beneficial promotion than being made one of the royal chaplains. Tindal, vol. ix. p. 143.

but,

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but, on being vindicated from this conſtruction, they were ſuffered to remain[15]. The addreſs of the lords ran in a higher ſtrain of compliment than that of the commons, and obliquely conveyed their partiality to the principles of the new miniſtry, as well as their diſapprobation of thoſe motives which had induced the other houſe, in a preceding ſeſſion of parliament, to ſolicit her majeſty's bounty in behalf of the college of Dublin[16].

The commons, that they might not be ſuſpected of any abatement of loyalty, cheerfully granted the ſupplies (167,023 *l.*) and diſpoſed of all the public buſineſs before they entered upon ſuch meaſures as appeared neceſſary for defending their own honour, and for maintaining their firm adherence to thoſe political principles, which were loſing credit in the mother country. They even exceeded in generoſity, by voting funds ſufficient to ſupport the neceſſary branches of the eſtabliſhment for two years to come; and brought in ſeveral important bills for promoting the fair diſpenſation of juſtice, ſecuring the continuance of domeſtic order and peace; and accelerating the progreſs of every public improvement[17].

2d Auguſt.

30th July.

The ſucceſs of theſe, however, was defeated by the animoſity which aroſe between the two houſes, and tainted all their proceedings during the remainder of this ſeſſion. The lords embraced every opportunity of profeſſing their attachment to the principles of the new miniſters; and, in that part of their addreſs which related to the extenſion of the royal bounty to Dublin college, had caſt a reflection upon the other houſe, by imputing their application for it to diſhonourable motives. The commons, after paſſing the ſevereſt

[15] The words were, "Nor have your coun- "cils been leſs mindful to preſerve credit to "this, than to reſtore it to the Britiſh nation." The addreſs had been drawn up by the friends of the court, and the majority of the commons, being Whigs, were unwilling to admit any inſinuations tending to the diſparagement of the late miniſtry.

[16] The expreſſions uſed by the lords were, "That her majeſty had extended her favour to "the college of Dublin, at ſuch a juncture, "as muſt teſtify to the world, that it was not "given to promote thoſe principles upon "which it was firſt applied for; but to en- "courage univerſity education, the neglect of "which had been a great occaſion of thoſe looſe "and wild tenets, which had been induſtri- "ouſly ſpread, to the endangering the ſtate, "and undermining all religion."

[17] Journals Commons, paſſim.

cenſures

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1711. 4th, 9th August.

cenſures upon this addreſs, complained to her majeſty, that the lords had groſsly miſrepreſented their intentions in applying for this bounty, and her majeſty's condeſcenſion in conferring it; they avowed their adherence to ſound revolution principles; and diſclaimed, with the utmoſt abhorrence, every wiſh or deſign, tending to the diminution of her majeſty's authority. The lords, in their turn, addreſſed the queen repeatedly on the ſame ſubject; and particularly inveighed againſt the unprecedented precipitancy and rudeneſs of the commons, for having carried the bittereſt cenſures of their conduct to the throne, without having previouſly demanded a conference, or given them any opportunity to explain themſelves if they had been miſtaken; and, at the ſame time, gave freſh provocation to the commons, by accuſing them to her majeſty of patroniſing political publications of the moſt dangerous tendency.

Another, coincident diſpute contributed farther to inflame that rancour which now ſubſiſted between the two houſes. Jealous for the honour of the proteſtants, the commons inſtituted an inquiry

24th June. concerning information, which had been lately communicated to the privy council, relative to a conſpiracy againſt the government by ſome gentlemen of Weſtmeath, which was attended, as they believed, with ſuch circumſtances, as to give ground for ſuſpecting that it had originated from the malice of the Tories. Dominick Langton, the informer, had been originally a popiſh prieſt, and though, upon his renunciation of that religion, he had been received into the eſtabliſhment, yet his faith and ſincerity were extremely dubious, which, together with the officious and clandeſtine manner of delivering his evidence, excited their apprehenſion of its being fictitious and malevolent. To proceed in this inquiry with becoming candour and fairneſs, they ſent a meſſage to the lords, requeſting permiſſion for Mr. Juſtice Coote, who had examined Langton and his witneſſes, to attend a committee of the commons; but the lords not only refuſed to comply with this deſire, but paſſed a vote for taking the examination of this affair entirely into their own hands. This conduct

duct was considered by the commons as an insult offered to their dignity, aggravated with the intention of screening from disgrace a person who had undertaken the part of a spy, that he might be the instrument of bringing the best friends of the constitution into trouble[18]. They resolved, that the charges brought by Langton against the gentlemen of Westmeath were false and malicious; and addressed the lord lieutenant to use his good offices with the queen, to get Dominick Langton struck off the list of the establishment[19].

With a view to allay these heats, the lord lieutenant interrupted the proceedings of parliament by successive adjournments, from the 11th of August to the 4th of October. The animosity of the two houses was too violent to admit of any abatement from the cessation of political intercourse; and some intervening circumstances furnished new materials for fomenting their discords, and sharpening the acrimony of adverse factions. The privy council repeatedly refused to confirm the election of the city magistrates, returned by the lord mayor and aldermen of Dublin. Although, agreeably to the strict interpretation of law, the assent of her majesty's council was necessary to confirm the elections of the lord mayor and sheriffs; and the refusal was founded upon a complaint against the electors, on account of certain irregularities in their conduct; yet, as a complaint upon the same ground had been disregarded by the earl of Wharton, and was now brought forward at the instance of a violent partisan of the Tories, the attention paid to it was considered as a strong proof of the partiality of the court to them. The lord lieutenant afterwards received a letter from the secretary of state, intimating her majesty's approbation of the conduct of the privy council, in asserting the rights of the crown, when they saw proper reasons to control the elections made by the court of aldermen[20]. 27th Sept.

The

[18] Journals Commons, 6th August, King's Letter to Swift, 1st September 1711.

[19] Idem, 6th, 7th, 8th, 9th November.

[20] King's Letter to Swift, 15th May, 1st September 1711. The dispute between the crown and the corporation of the city of Dublin

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The private demeanour and official conduct of Sir Conſtantine Phipps, the preſent lord chancellor, confirmed all the unfavourable prepoſſeſſions againſt him, which the Whigs in Ireland had conceived from his zeal and activity in defence of Dr. Sacheverel. He aſſociated only with Tories and churchmen, and was entertained by the nobility and gentlemen of that deſcription with the moſt magnificent hoſpitality: he received the congratulations and thanks of the clergy as the patron of their order, and the champion of the rights of the church[21]. Under the auſpices of ſuch a judge, every legal check upon the licentiouſneſs of the party which he patroniſed was ſuſpended. The moſt malignant attacks upon the diſſenters daily iſſued from the preſs, and even thoſe publications, which had been condemned in England for their ſeditious tendency, were reprinted and diſperſed, without any reprehenſion from the Iriſh miniſters. Mr. Higgins, a clergyman, who had been turned out of the commiſſion of the peace by the late chancellor Coxe, on account of his indecent and turbulent behaviour, was now reſtored to his ſeat by Sir Conſtantine Phipps. On the very day of reſuming his authority, he gave ſuch offence to his colleagues by his inſolence and unguarded expreſſions, that he was preſented, by the grand jury of the county of Dublin, as a ſower of ſedition and groundleſs jealouſies among
19th Nov. her majeſty's proteſtant ſubjects; but he was acquitted by the lord

lin turned upon an old bye-law of the corporation, made in the reign of queen Elizabeth, by which the aldermen, according to their *ancientry*, are required to keep the mayoralty. A conſiderable ambiguity aroſe with reſpect to the extent of this requiſition, becauſe, though the aldermen might be bound *to keep* the mayoralty, or ſerve as mayors when elected, the electors might not thereby be obliged to prefer them, or put the office upon them. A change of circumſtances had alſo ſuperſeded the reaſon of this law; for the office, conſidered formerly as a burden, was now ſought for by ambitious citizens. Several inſtances of diſpenſing with the law, or of contrary practices, were produced. The diſpute had been agitated for two years among the different parties in the city, on which account the earl of Wharton had prudently abſtained from interfering in it; but now the faction that was baffled, headed by Mr. Conſtantine, the diſappointed candidate, declared their zeal for high-church principles, in order to allure the patronage of the new miniſters. King's Letters to Swift, 15th May, 1ſt September 1711.

[21] Tindal, vol. x. p. 83. Conduct of the Purſe in Ireland, Lond. 1714.

lieutenant

lieutenant and privy council, to the great joy of the high-church party[22].

The events and proceedings, now recited, exaſperated the Whigs, encouraged the inſolence of the Tories, and occaſioned ſuch violent diſputes between the two houſes when they met again after the adjournment, as diſtracted their attention from all public buſineſs. In the commons, a motion was made to addreſs the lord lieutenant 29th Oct. to lay before them a liſt of the ſeveral returns of the magiſtrates in corporations, againſt whom petitions had been preſented; and alſo the ſecretary of ſtate's letter, containing her majeſty's inſtructions on that ſubject. This motion, by the utmoſt exertion of miniſterial influence, was rejected only by a ſingle vote. To ſtigmatize the houſe of lords for the expreſſions in their addreſs to her majeſty, relative to her bounty beſtowed on Trinity college, they reſolved, 8th Nov. that whoſoever, by ſpeaking or writing, arraigned the principles of the revolution 1688, ſhould be deemed an enemy to the queen, the conſtitution, and the Hanoverian ſucceſſion. They were debating on a motion for burning the memorial of the church of England, which the Tories now circulated with great induſtry, when all farther proceedings were interrupted by the prorogation of parlia- 9th Nov. ment.

The proceedings of the lords ran into an oppoſite, and more dangerous extreme of party violence. They preſented a ſecond addreſs to the queen, in defence of their former one upon the affair of Trinity college; and charged the commons, in direct terms, with patroniſing men of a factious and ſeditious temper. They agreed, upon a motion from the biſhops, to another addreſs againſt the proteſtant diſſenters, arraigning their principles and conduct, with the

[22] Annals Anne, p. 192, 3. Mr. Higgins had been a co-adjutor of Dr. Sacheveral in England; and rivalled him in the vehemence with which he declaimed upon the danger of the church, and the treachery of the miniſters. Cunningham, vol. ii. p. 275. He was the author of ſeveral ſcurrilous tracts againſt the diſſenters, and ſuſpected of having drawn up a narrative concerning the conſpiracy of the proteſtants in Weſtmeath, which contained reflections injurious to all the whig gentlemen in Ireland.

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view of perſuading her majeſty to withdraw the royal bounty uſually conferred upon their clergy[23]; and condemned to the flames ſeveral ſermons, which had been preached by them on public occaſions.

9th Oct.

The zeal of the lower houſe of convocation ſtill ſurpaſſed that of the lords. They publiſhed an atteſtation in behalf of their champion, Mr. Higgins, bearing, that he had always ſhewn himſelf a good chriſtian and a loyal ſubject; and they preſented their thanks to Sir Conſtantine Phipps, for the many eminent ſervices he had rendered the church. The duke of Ormond, after proroguing the parliament, departed for England, devolving the care of the government upon Sir Conſtantine Phipps and general Ingoldſby, as lords juſtices[24].

The conduct of both houſes, in this ſeſſion, exhibits a new aſpect of an Iriſh parliament. From the zeal with which they ſupported their different ſyſtems, and the keenneſs of their oppoſition to each other, it appears, that the commons had formed a ſtrong attachment to the late miniſters; and that the houſe of lords had generally imbibed the tory and high-church principles, which had now obtained the aſcendancy at court. As the former diſcovered an inflexible adherence to the Whigs, and as the ſupplies had been granted for two years, commencing from the 24th of June 1711, the meeting of parliament was ſuſpended by frequent prorogations during that period. In the meanwhile the war of parties was carried on with unabated violence; and affected every order of ſociety. The members of the corporations were in general firm in the whig intereſt; but their influence was daily more and more controlled by the interference of the privy council, uniformly diſapproving of the election of magiſtrates, who were of that party; and thereby ſtraining the power of diſſent into that of a nomination. The vacant

1711—12.

[23] The ſum of 1200*l.* per annum, was firſt beſtowed by Charles II. upon diſſenting miniſters in Ireland, and had been continued by king William and queen Anne.

[24] Annals Anne, p. 81.

offices were all ſupplied with violent Tories: aſſociations were formed, and meaſures adopted by them, to depreſs the diſſenters by cramping their buſineſs and trade; and, while there was a palpable relaxation in the execution of the laws againſt the Roman catholics, the former were proſecuted for the ſlighteſt crimes, and puniſhed with the utmoſt rigour[25].

The ſituation of the army in England requiring the conſtant attendance of the duke of Ormond, the duke of Shrewſbury was appointed his ſucceſſor, and ſent to Ireland to hold another ſeſſion of parliament, which became neceſſary upon the expiration of the ſupplies. Sept. 1713. A proclamation was publiſhed to diſſolve the exiſting parliament, and from the augmented influence of the Tories, and the patronage of the court, it was expected that a new houſe of commons would be found more obſequious to the meaſures of adminiſtration.

The elections were carried on by the rival factions, with the moſt eager and violent contention. Riots happened in many of the towns, and, during the poll in Dublin, the conteſt was ſo furious, that the interference of the troops became neceſſary to prevent bloodſhed[26].

The drooping ſpirits of the Whigs were in ſome meaſure revived by the ſentiments and conduct of the duke of Shrewſberry, which, as they did not correſpond with the temper and meaſures of the Engliſh miniſters, excited great uneaſineſs among thoſe who had been principally concerned in the late violent proceedings. He omitted no opportunity of profeſſing his warm and unſhaken attachment to revolution principles, and all who befriended them; and at the opening of the parliament aſſured them, that her majeſty had 25th Nov. nothing more at heart than the ſecurity of the proteſtant ſucceſſion; and earneſtly recommended, that as all proteſtants had the ſame common intereſt, they would wiſely co-operate for its ſupport, by laying aſide all animoſities and reſentments among themſelves.

[25] Tind. vol. x. p. 765. Conduct of the Purſe in Ireland.
[26] Political State, vol. vi. p. 267.

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1713.

The ſtrength of parties was immediately tried by the choice of the ſpeaker in the houſe of commons; and Allen Broderick, the favourite of the Whigs, was preferred by a majority of four voices.

28th Nov. The commons congratulated her majeſty upon the ſucceſs of her endeavours in procuring a ſafe and honourable peace; and expreſſed a deep ſenſe of her goodneſs in taking care to preſerve their rights, by ſecuring the proteſtant ſucceſſion in the illuſtrious houſe of Hanover. The neceſſary ſupplies were granted with unanimity and diſpatch. In examining the ſtate of controverted returns, many abuſes were traced to the late reſtraints upon corporations, which occaſioned various reſolutions, cenſuring the conduct of the privy council, particularly for their interference in the election of the lord

19th Dec. mayor and ſheriffs of Dublin [27]. A committee was appointed to prepare an addreſs to her majeſty, beſeeching her not to grant licences to Roman catholics, who were deſirous to return to Ire-

23d. land; and a bill was brought in for attainting the pretender and all his adherents, with a promiſe of a reward for apprehending him. An inquiry was inſtituted concerning the proceedings of the courts of juſtice in ſome of the late trials, with the deſign of charging them with criminal remiſſneſs and partiality [28]. All theſe corruptions and abuſes

[27] They reſolved, that for many years paſt a deſign had been carrying on to ſubvert the conſtitution, and alter the government of the city of Dublin. They ſpecified inſtances of corrupt attempts made in ſupport of this deſign, and aſcribed the confuſion and diſorder which prevailed in the city of Dublin, to the privy council's diſapproving of perſons who had been elected magiſtrates of the city, notwithſtanding their known attachment to her majeſty's perſon and government, and the conſtitution of church and ſtate. Journals Commons, 22d, 23d, 24th December.

[28] Journals Commons, 18th, 22d December. The two caſes which the commons had in their eye, particularly, were thoſe of Edward Lloyd and Dudley Moore. The former had been convicted of publiſhing a ſeditious libel, entitled the Memoirs of the Chevalier de St. George, but the proceſs had been ſtopt by the lords juſtices, upon a petition from Lloyd, and a letter from the duke of Ormond, to them, in which he uſed this expreſſion, That the man had no evil intention in publiſhing the book.

The other caſe was that of Dudley Moore, who had been at the head of a whig riot. The actors in the Dublin theatre having refuſed to gratify the audience with a prologue to the tragedy of Tamerlane, written by Dr. Garth, which had been formerly applaued by them, but prohibited by government upon the proſpect of peace, becauſe it invited her majeſty's ſubjects to continue the war with France,

abuſes being aſcribed to the influence of the preſent lord chancellor, the commons addreſſed her majeſty to remove him from office. CHAP. XXII. 1713.

The attention of the upper houſe was principally occupied in counteracting theſe proceedings. They went over the ſame grounds with the commons, and, in the form of reſolutions, ſpecified various facts, tending to place the conduct of the privy council and the chancellor in the moſt favourable light; and preſented an addreſs to the queen, teſtifying their warmeſt approbation of the honour and integrity, with which the latter had acquitted himſelf in the important office which he filled. The ſupplies, the great object of calling a parliament, having been obtained, and the counter-proceedings of the two houſes only fomenting thoſe heats which fruſtrated the proſecution of uſeful buſineſs, and threatening to embroil the kingdom, the lord lieutenant put an end to this ſeſſion on the 24th of December. The lord chancellor Phipps, and the archbiſhops of Armagh and of Tuam, were appointed lords juſtices of Ireland. No act paſſed this ſeſſion, which was conſidered as a rebuke from the ſovereign to the commons, for their perſeverance in meaſures which deeply affected the characters of her favourite ſervants.

France, Moore got upon the ſtage and repeated the prologue himſelf. He was indicted for this offence before the queen's bench, and though there were many informalities in the proceedings againſt him, the crown lawyers, encouraged by the chancellor, ſtill perſiſted in the proſecution. Journals Commons, 18th December. Political State, vol. vi. p. 358.

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The Hopes of the Whigs revive upon the Diſſolution of Parliament.—The Elector of Hanover declines interfering in the Elections.—Circumſtances hurtful to the Intereſts of the Miniſters.—Parliament meets.—Sir Thomas Hanmer choſen Speaker in the Houſe of Commons.—The Queen's Speech.—Addreſſes.—Complaint in the Houſe of Lords againſt a Pamphlet, entitled, The Public Spirit of the Whigs—Proceedings upon it.—Complaint in the Houſe of Commons againſt ſeveral Pamphlets publiſhed by Mr. Steele—He is expelled the Houſe.—Delicate Situation of the Queen in Queſtions relative to the Succeſſion.—Motion concerning the Danger of the Proteſtant Succeſſion—Negatived in both Houſes.—Addreſs for removing the Pretender from Lorrain, &c.—Baron Schutz demands a Writ for the Electoral Prince—Effects of this.—Inquiries in the Houſe of Lords relative to Dunkirk.—The Catalonians.—The Conduct of the Lord Treaſurer for giving Money to the Highland Clans.—Proclamation for apprehending the Pretender.—A Bill for preventing the Growth of Schiſm—Debates upon it—Paſſes.—Reports of the Commiſſioners of Accounts.—A Bill for a new Commiſſion carried in the Houſe of Commons—Rejected by the Lords.—Addreſs of the Lords approving of the Peace.—Inquiry concerning the Commercial Treaty with Spain—Concerning the Aſſiento Trade.—Prorogation of Parliament.—Obſervations.—Proceedings of the Convocation.—Conſultations and Meaſures of the Whig Leaders.—Diſcords in the Cabinet.—The Earl of Oxford diſmiſſed.—The Queen taken ill.—Proceedings of the Privy Council.—The Duke of Shrewſbury appointed Lord High Treaſurer.—Death of the Queen—Her Character.

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UPON the diſſolution of parliament, the hopes of the Whigs revived; and they looked forward to the approaching elections as a favourable criſis for their reſtoration to power. Aware, that the viſible decline of the queen's health would increaſe the influence of the party patroniſed by the family next in ſucceſſion, they were at great pains to blend their own cauſe with that of the court of Hanover, and to repreſent the ſucceſs of their friends as eſſential to the ſecurity

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ſecurity of the proteſtant ſettlement. They ſolicited the elector of Hanover to take an active part in the depending canvas; and even to furniſh them with large ſums of money, without which they could not depend upon the fidelity of ſome of their indigent friends, beſieged by the promiſes and importunity of their antagoniſts[1].

But though theſe applications were urged with the warmeſt profeſſions of attachment to the elector, and ſometimes accompanied with menaces to deſert a cauſe about which he ſeemed himſelf to be ſo little intereſted, he prudently abſtained from any premature, and indelicate interference in the diſputes of faction[2].

The Whigs ſucceeded in procuring the return of their adherents in a few places, which had been formerly repreſented by Tories; but the latter generally ſtood their ground, and their majority was little inferior to what it had been in the laſt parliament[3]. Although the miniſters ſtill retained their intereſt at court, and had loſt few of their friends in the elections, yet a variety of circumſtances now concurred to leſſen their reputation, and to render the ſupport, which they expected in both houſes during the enſuing ſeſſion, more feeble and precarious than it had hitherto been.

1. The ſlow progreſs of the treaty at Utrecht, the conceſſion of almoſt every diſputed point to the French plenipotentiaries, and the diſproportion of the terms, obtained for Britain, to the high expectations which had been cheriſhed by ſuch a ſeries of ſplendid victories, were topics well calculated for turning the tide of popular favour againſt the party, to which all theſe inſtances of miſconduct were imputed. The objections to the commercial treaty with France affected the intereſts, and came home to the underſtanding, of the moſt illiterate manufacturers and traders; and its having been rejected by the houſe of commons gave the higheſt ſanction to their diſapprobation; and furniſhed an authoritative proof of the error, or ill intention of its framers.

[1] Letter of l'Hermitage to Bothmar, 13th July 1713. Hanoverian Papers.

[2] Id. 1713, paſſim.

[3] Political State, vol. vi. p. 188.

The

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The delay and reluctance, with which the French king proceeded in demoliſhing the harbour of Dunkirk, and the repeated applications which he made to the court of England, for diſpenſing with the rigid performance of an article more gratifying than all the reſt to the pride and reſentment of the people, excited a ſuſpicion of colluſive dealings between that prince and the preſent miniſters[4]. The popular diſcontents and jealouſies were heightened by the arguments urged for appeaſing them. The importance of demoliſhing Dunkirk was diminiſhed; the queen's prerogative to diſpenſe with it vindicated, and her exertion of it in the preſent caſe repreſented as an act of mercy to the inhabitants of that city[5]; the fears, which the people had been wont to indulge concerning the ambitious deſigns of the French king, were treated with ridicule, and imputed to the calumny of a diſappointed faction. The extravagant encomiums on the peace, circulated by the miniſterial agents, only ſerved to rivet the conviction of their employers being conſcious to themſelves of miſconduct, which they wiſhed to conceal under the glare of ſelf-aſſumed and fictitious merit. The intercourſe of kindneſs between the French and Engliſh courts, after the concluſion of the peace, was ſo contradictory to the bent of national prejudice, that it rouſed a general indignation, and was conſidered as a prelude to ſome direful revolution[6]. The intereſt and wiſhes of the French king, it was ſaid, were too obvious to eſcape the blunteſt conception; he had been attempting, during the courſe of a long reign, alternately, by open war and ſecret intrigue, to diſtract and weaken England, the only power that could ſet bounds to his uſurpations. How could his views be more effectually promoted than by a contraverted ſucceſſion to her crown? Could he omit ſo favourable an opportunity, as that which he now derived from his influence in the Engliſh cabi-

[4] Political Papers, vol. vi. p. 183. vol. vii. p. 64. Hiſtory of Impeachments, p. 104.

[5] Memoirs of the Four Laſt Years, p. 240.

[6] Criſis. Pamphlet of the Times. See the ſpeech of d'Aumont when introduced to the queen, 4th July 1713. He afterwards preſented her majeſty with a ſet of fine coach horſes.

net,

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net, to pave the way for the exaltation of a prince, who had been educated under his tuition, and whoſe prejudices would all run in favour of his political deſigns. The elector of Hanover, the rival heir, by remonſtrating againſt the peace and ſtill continuing the war in conjunction with the emperor, had become peculiarly obnoxious to the reſentment of Lewis, and might lay his account with every obſtruction, which that monarch could throw in the way of his ſucceſſion. Nor was it to be expected, that the States, irritated by the ill treatment they had met with from England in the courſe of the negociations, would hazard any perilous or coſtly exertions for making good the guarantee of the proteſtant ſettlement[7].

The predominant fears of the people for the proteſtant religion diſpoſed them, to interpret every incident and public meaſure to the diſcredit of thoſe who had the preſent direction of affairs. Taking it for granted, that a deſign was on foot for altering the ſucceſſion, they were eaſily perſuaded, that this was the principal buſineſs upon which the duke d'Aumont had been ſent as ambaſſador extraordinary from France to the court of London. Inſtead of thoſe acclamations of joy, with which he had at firſt been received by the multitude, as the meſſenger of peace, he was expoſed to inſult and danger as often as he appeared in public. They aſſembled in a turbulent manner for ſeveral ſucceſſive days at the gates of his houſe in Ormond-ſtreet; and, after being diſperſed by the conſtables, returned, under night, to exhibit monuments of their contempt for the ambaſſador and his maſter[8]. His houſe was at length burnt to the ground; and, as he had received letters warning him of that event, there was ſtrong reaſon to conclude that it had been occaſioned by malicious contrivance[9]. 26th Jan.

[7] Cunningham, vol. ii. paſſim. Oldmixon, vol. ii. p. 509.

[8] The people uſed to exclaim whenever they ſaw him, "No papiſt, no pretender." They put up the ſign of a bunch of grapes at his door in the night-time, alluding to a popular calumny, that wines, ſilks, and French goods were ſold at his houſe, duty free, for his own and his maſter's profit. Tindal, vol. x. p. 60.

[9] Id. p. 61.

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The treaty, between the French king and the emperor, was attended with circumſtances which added to the public alarm. The Engliſh and the Dutch plenipotentiaries were entirely excluded from the negociations at Ranſtadt; and, notwithſtanding that the French king was now in the career of victory, having taken Friburg and Landau, which made it eaſy for him to penetrate into Germany, he granted the emperor more favourable terms of peace than he had offered at Utrecht. What other motive could be aſſigned for ſuch conduct, but his wiſhing to be in a condition to render more effectual aſſiſtance to the pretender upon the event of the queen's death? The joint reſolution of Lewis and the emperor, to refuſe the proteſtants in Germany the privileges, which the Engliſh and Dutch had every reaſon to expect at an early ſtage of the negociations, gave an irrecoverable blow to the reformed intereſt on the continent [10].

The inſolence and forwardneſs of the Jacobites during the elections; the return of ſeveral perſons who had been outlawed for adhering to king James, and the diſperſion of pamphlets in favour of the pretender's title and character, were all conſidered, even by thoſe perſons who were free from the bondage of party, as evidences of the indifference and ſupineneſs of the preſent miniſters with reſpect to the proteſtant ſucceſſion [11].

The direful fate of the Catalans was a topic well fitted for moving the compaſſion of the multitude. After having been drawn into the war by the promiſes of the Britiſh court, they had been ſurrendered to the vengeance of their common enemy, and conſigned to the fate of rebels [12].

2. The

[10] Memoirs of the Four Laſt Years, p. 268. Theſe ſuſpicions were increaſed by the circumſtance of Seignior Paſſionei, the pope's agent, being admitted to the congreſs between the French and Imperial plenipotentiaries, while the ſame indulgence was refuſed to the Engliſh and Dutch miniſters. Cunningham, vol. ii. p. 439.

[11] Political State, vol. vii. p. 441. Cunningham, vol. ii. p. 440. A Tender and Hearty Addreſs to all Freeholders. Lond. 1714.

[12] In defence of the miniſters, it was argued, that the firſt overture of revolt was made by the Catalans, and accepted by England; and that ſhe was not the principal, but acceſſary

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2. The reputation and intereſt of the preſent miniſters were impaired by inteſtine jealouſies and diſputes, which alienated them from one another, and divided the counſels of the cabinet. While the buſineſs of the peace was depending, an aſſociated and common intereſt rendered it neceſſary for the earl of Oxford and lord Bolingbroke to maintain the appearance of unanimity and confidence; but, after its concluſion, their diſcord and reciprocal hatred, which had been lamented by their friends in private, could no longer be concealed from the public eye. Every new promotion was a ſource of contention between the rival miniſters, who were ſecretly plotting each other's deſtruction. It was ſuſpected that lord Bolingbroke had for ſome time been carrying on a correſpondence with the duke of Marlborough, who had rejected all terms of conciliation with lord Oxford; and there can be little doubt, that the duke's confidential friends would be let into the ſecret, ſo far at leaſt as was neceſſary to animate their hopes, and ſtimulate their efforts to overturn the preſent adminiſtration [13]. From ſeveral tranſactions during the laſt ſeſſion of parliament, it was evident, that the treaſurer and ſecretary were at variance in council; and the cenſure, attached to public meaſures, was thrown upon the one or other, according to the partiality and prejudices of individuals. So many prognoſtics of a rupture in the cabinet raiſed the ſpirits and expectations of members in oppoſition, and looſened and diſtracted the affections of thoſe who had hitherto ſupported the adminiſtration [14].

3. The precarious ſtate of the queen's health created univerſal agitation and anxiety, and increaſed the perplexity of thoſe who directed the affairs of government. During the interval of parlia-

ſary to the war. She engaged to obtain a confirmation of all their privileges from king Charles, which, therefore, depended upon his ſucceſs. The miniſters had done as much as they could by procuring the mediation of the French king in behalf of the Catalans; and an amneſty, and a grant of all the privileges of Caſtilians, upon the condition of their acknowledging king Philip. Caſe of Lord Bolingbroke, p. 13. London 1715.

[13] Stuart's Papers, 1714. Tindal, vol. x. p. 70, 71. Oldmixon, vol. ii. p. 508, 9.

[14] Examiner, 16th November. Swift's Letters, N°s 55. 60. 70. 72. 80, 81, 82, 83. 89.

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ment, ſhe had frequently been rendered incapable of attending upon council by the increaſe of bodily diſeaſe and infirmity. In the month of December ſhe was attacked by a fit of the gout, and a feveriſh diſorder, which laſted ſeveral days, and was attended with the moſt dangerous ſymptoms. This event, inſtead of ſuſpending, as might have been expected, the conflicts of her ſervants, who had every thing to fear from the loſs of their miſtreſs, only removed the reſtraint impoſed by a reſpect for her preſence; and opened a vent for their ſmothered rancour to burſt forth into the moſt indecent expreſſions of ſcurrility and reproach [15].

The general alarm for the ſafety of the proteſtant ſucceſſion, fomented by the Whig leaders, increaſed the burden of miniſterial truſt, and excited embarraſſments, from which nothing but a firm union among themſelves could have extricated them. It appeared indeed almoſt impoſſible to remove the diſquiet and apprehenſions of the well wiſhers to that ſucceſſion, without having recourſe to meaſures, inconſiſtent with the tenderneſs and decorum, which the infirmities, as well as the rank of the ſovereign, exacted from all her dutiful ſubjects.

The ſtate of public credit deeply affected the preſent temper of the people, retarded and cramped the operation of thoſe expedients, which had been deviſed for alleviating ſome of the moſt oppreſſive burdens. The ſtocks had been gradually ſinking ſince the diſſolution of parliament, and a run upon the bank, while the queen was

21 Feb. indiſpoſed, continued till her recovery was publicly announced in all the newſpapers [16].

[15] Conduct of Oxford, paſſim.

[16] Political State, vol. vii. p. 96. The South Sea ſtock had fallen ſo much, that the treaſurer could not raiſe the ſum of three hundred thouſand pounds upon its credit. But upon iſſuing an order that every ſubſcriber of one hundred pounds to the loan ſhould be entitled to buy tickets in the lottery, more than the three hundred thouſand pounds were ſubſcribed. The treaſurer taking the advantage of this raiſed the loan upon this fund to five hundred thouſand pounds.

The South Sea ſtock was deeply affected by acknowledging the right of Philip to the Spaniſh monarchy. The profits ariſing from it depended, in a great meaſure, on the favourable conditions for carrying on the Weſt India trade, ſtipulated to England by king Charles. Letter concerning the South Sea Stock. Lond. 1711.

Such

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Such was the ſtate of parties and public affairs, when the new parliament, which had been frequently prorogued on account of her majeſty's illneſs, was opened by commiſſion on the 16th of February 1714. Sir Thomas Hanmer, who had acquired great popularity by his oppoſition to the commercial treaty, was recommended to the chair by ſome of the whig members, and choſen without oppoſition.

On the 2d March, the day after the proclamation of peace with Spain, her majeſty went to the houſe of lords, and addreſſed the new parliament to the following purpoſe. She expreſſed much ſatisfaction in being able to announce the ratifications of the treaties of peace and commerce with Spain; and promiſed, that every exertion ſhould be made on her part to complete the *ſettlement* of Europe. She congratulated her ſubjects upon being delivered from a conſuming land war, and entering upon a peace, the good effects of which, nothing but inteſtine diviſions could obſtruct. The general joy, expreſſed upon her recovery from her late indiſpoſition, ſhe conſidered as a grateful return for the tenderneſs and affection which ſhe always had for her people. She wiſhed, that effectual care had been taken to ſuppreſs ſeditious papers and factious rumours, by which ill deſigning men had ſucceeded in depreſſing public credit. She ſpoke with warmth, on the malicious intentions of thoſe, who inſinuated that the proteſtant ſucceſſion was in danger under her government; and ſaid, ſhe hoped they would all agree with her, that any attempts to weaken her authority, and render the poſſeſſion of the crown uneaſy to her, could never be the proper means of ſtrengthening the proteſtant intereſt. She aſked ſupplies for the current ſervice of the year, and for the diſcharge of ſuch debts as ſhould be found reaſonable, and concluded with recommending to parliament, to aſſiſt her in obtaining ſuch fruits from the peace, as might render it a bleſſing to the preſent age and poſterity.

The addreſſes from both houſes were acceptable to her majeſty. 3d March.
The lords teſtified the utmoſt deteſtation at thoſe who ſpread ſedi-

tious

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1714. 6th March.

tious papers; and who inſinuated that the proteſtant ſucceſſion was in danger under her majeſty's government. The commons not only expreſſed aſtoniſhment at ſuch malicious inſinuations; but declared their entire ſatisfaction with the ſecurities by which that ſucceſſion was eſtabliſhed. Notwithſtanding this unanimity in loyal zeal, the eagerneſs of parties was diſplayed in both houſes, by their haſtening to the diſcuſſion of topics, which afforded them the opportunity of trying their ſtrength, and giving vent to their rancour againſt each other.

Under the authority of her majeſty's reference to ſeditious libels, the very day on which the addreſs was agreed to by the lords, the earl of Wharton entered a complaint againſt a late pamphlet, entitled, *The Public Spirit of the Whigs*, and read a few paragraphs, containing ſcurrilous reflections upon the Scottiſh nation, and of thoſe who had made the union; upon which, the pamphlet was immediately condemned as falſe and malicious. Murphew, the printer, and Barber, the publiſher, were taken into cuſtody, together with their principal ſervants, and examined ſeverally; but, making no diſcovery of the author, were diſcharged.

5th, 6th, 9th.

The pamphlet complained of was generally aſcribed to Dr. Swift, who had already ſerved the tory miniſters with ſuperior ability as a polemical writer; and, living on the moſt intimate footing with the treaſurer and ſecretary, was believed in this, as well as in the publications which he acknowledged, to have thrown out ſentiments, which had been dictated, or approved of, by his patrons. The miniſters acted with crafty addreſs in every ſtage of this buſineſs, and by the apparent alacrity with which they gratified, or rather anticipated the deſire of the movers of the inquiry, they kept the management of it in their own hands, and fruſtrated its object. While the queſtion was depending, the earl of Marr, one of her majeſty's ſecretaries of ſtate, aſſured the houſe, that he had already, in her majeſty's name, ordered a proſecution againſt the publiſher, which ſuperſeded the farther interpoſition of parliament. The whig lords, ſuſpecting the

intention

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intention of the miniſters, and unwilling to relinquiſh ſo fit an opportunity of letting looſe their vengeance upon an individual, who had done more miſchief to their party than any of their parliamentary antagoniſts, moved for an addreſs to the queen to offer a reward for diſcovering the author of the *Public Spirit of the Whigs*. The motion was agreed to without the ſmalleſt oppoſition by the miniſters, and, in compliance with the addreſs, a reward of three hundred pounds was offered; but no informer appearing, they were extricated from the diſagreeable dilemma of either ſacrificing, to the reſentment of their enemies, a perſon who had laid them under ſignal obligations, or of reſcuing him by an offenſive interpoſition of prerogative [17].

9th March.

[17] Political State, vol. vii. p. 230, &c. Journals Lords, March paſſim. Barber, who printed the Public Spirit of the Whigs, was the editor of the gazette, which ſtrengthened the ſuſpicion of the miniſters being privy to it. Her majeſty complied more readily with the deſire of the houſe of lords becauſe ſhe was greatly prejudiced againſt Dr. Swift by Dr. Sharp and the ducheſs of Somerſet. Letter of Schutz, &c. to Robethon, &c. Feb. 1714. Hanoverian Papers. When the former heard of an application having been made to her majeſty for a biſhopric to Dr. Swift, he ſaid, that he wiſhed ſhe could firſt make him a Chriſtian. The ducheſs of Somerſet, who had much of the queen's confidence, embraced every opportunity of infuſing into her mind the moſt unfavourable impreſſions of the doctor. She was actuated by reſentment againſt him, for his having drawn her character with raillery and ſatire in the Windſor Prophecy. Sheridan's Life of Swift, p. 147. Theſe circumſtances account for Dr. Swift's having been ſo long without preferment. Notwithſtanding his extraordinary talents and important ſervices to the preſent cabinet, and the promiſes made to him by the earl of Oxford and lord Bolingbroke, the queen had determined that he ſhould never be made a biſhop, and Dr. Sterne, in conſequence of Swift's recommendation, was promoted to the biſhopric of Dromore, May 1713, that the duke of Ormond might have it in his power to confer the deanery of St. Patrick's on the latter.

Dr. Swift's enemies repreſented him as a perſon void of all ſenſe of religion. The earl of Nottingham, arguing againſt the ſchiſm bill, which required every teacher of youth to have a licence from the biſhop of the dioceſe, ſaid, "My lords, I have many children; I tremble when I think that a certain divine, who is hardly ſuſpected of being a Chriſtian, is in a fair way of being a biſhop, and may one day give licences to thoſe who ſhall be entruſted with the education of youth." Lords' Debates, vol. ii. p. 425. Theſe accounts of Swift's character are to be imputed to the malice of party, for there are ſtrong reaſons for believing that his profeſſion of religion was ſincere.

The candid reader, from the circumſtances now recited, will be readily diſpoſed to find an apology for that chagrin and ill-temper, which darkened the latter days of Dr. Swift. He was conſcious of the ſuperiority of his abilities; he had been eminently uſeful to the court, and to the miniſters, who had held out to him the faireſt proſpects of preferment. He had ſet his heart particularly upon the office of hiſtoriographer to her majeſty, for which he was eminently qualified; but he was diſappointed in this, as well as in all his other views of preferment; and, after the death of the queen, perſecuted by the mean and unrelenting reſentment of that party which gained the aſcendency both in England and Ireland. Swift's Letters paſſim, particularly No. 139.

While

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While this buſineſs was agitated in the houſe of lords, a more direct and ſucceſsful attack was made in the houſe of commons upon another author, who had long been diſtinguiſhed as a zealous champion of the Whigs. Mr. Foley, auditor of the impreſſed accounts, 12th March. complained of the ſeditious tendency of three ſeveral pamphlets, namely, the Engliſhman, the Criſis, and a Letter to the Engliſhman, all ſubſcribed by the name of Richard Steele, a member of that houſe [18]. Mr. Steele, after being allowed a few days to prepare his 18th. defence, was heard; but, inſtead of attempting to ſoften the cenſurable paſſages in his pamphlets, he gave new cauſe of provocation, by glorying in what he had done, and declaiming, with the moſt pointed animadverſion, againſt the meaſures of adminiſtration [19]. He was warmly ſupported by the ableſt ſpeakers on the ſide of the Whigs, and particularly by Mr. Walpole, who inveighed againſt the treaſurer for patroniſing many late ſeditious publications, adverſe to the proteſtant ſucceſſion. The zeal of the Tories, who were the majority, ſuperſeded the neceſſity of long or elaborate replies; and the motions for finding the pamphlets ſeditious, and for expelling Mr. Steele the houſe of commons, were carried by 245 againſt 152 votes.

The various queſtions, which, either directly or conſequentially, related to the ſucceſſion, occaſioned the moſt intereſting debates, and the moſt unexpected diviſions in both houſes during this ſeſſion. The ſeveral facts already mentioned, ſuggeſted to all the friends of

[18] He was choſen a member of this parliament for the burgh of Stockbridge, upon which he reſigned his office as one of the commiſſioners of the ſtamps. The preſent miniſters had diſcovered great lenity in not diſmiſſing him from office, notwithſtanding his frequent and virulent attacks upon them. This was owing to the interceſſion of Dr. Swift, who had a great reſpect for Mr. Steele. After all, it is a curious fact, that Mr. Steele was not the author of the Criſis. It was written by Mr. William Moore, who followed the profeſſion of the law, after the acceſſion of the Hanoverian family. He made known the ſecret to the whig leaders, in order to recommend himſelf to preferment. *Appendix*, N° XXXIV.

[19] He ſaid that he had written and publiſhed theſe pamphlets with the ſame chearfulneſs and ſatisfaction with which he had abjured the pretender. Political State, vol. vii. p. 246. In the interval between his accuſation and defence, Mr. Steele moved, 15th March, for an addreſs to her majeſty, for the repreſentations of her engineers, intruſted with inſpecting the demolition of Dunkirk; but the previous queſtion was carried.

the

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the proteſtant intereſt, the expediency of the ſpeedy interpoſition of parliament to ſtrengthen the act of ſettlement, and to defeat every combination formed againſt it. The party in oppoſition urged this buſineſs with greater ardour, becauſe it was likely to furniſh them with the moſt effectual means of diſuniting the members of adminiſtration, and either rendering them more unpopular, or depriving them of the royal favour. After the ſolemn and repeated aſſurances, which her majeſty had given of her zeal for maintaining the proteſtant ſucceſſion, every expreſſion of alarm, and every new demand for its ſecurity, eſpecially by her perſonal interference, implied a ſuſpicion of her honour, which, together with the ideas naturally excited by this ſubject, diſtreſſed and ſhocked her mind [20]. The proviſions, neceſſary for conveying a private inheritance to the fondeſt object of affection, are often delayed to the cloſing ſcene of life by perſons of diſtinguiſhed prudence, merely on account of the unpleaſant thoughts which they ſuggeſt. Every new application to the queen concerning her ſucceſſor was a knell to her heart, confirming, by the voice of a nation, thoſe fearful apprehenſions which aroſe from a ſenſe of her increaſing infirmities. Under theſe impreſſions, ſhe naturally expected every exertion upon the part of her miniſters, to protect her from a mortification, aggravated by the peculiar delicacy of her ſituation, and the ingratitude of the perſons from whom it originated. On the other hand, it was not eaſy for the miniſters to gratify their miſtreſs by obſtructing any reaſonable propoſal for the farther ſecurity of the Hanoverian ſucceſſion, without falling under a ſuſpicion of favouring the pretenſions of her brother.

The general queſtion concerning the danger of the proteſtant ſettlement was introduced in both houſes, as the baſis of ſubſequent meaſures for multiplying its ſecurities. This queſtion, in its ſimple form,

[20] When the ſucceſſion was mentioned to the queen, ſhe always turned the converſation to another ſubject. Schutz's Letter to Bothmar, 29th Sept. 1713. Hanoverian Papers.

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after various and long debates was negatived in both houſes[21]. From the ſmall majority againſt it in the houſe of lords, and the reſpectable character of ſome members in both houſes, who ſupported the affirmative, the triumph of the miniſters was not without alloy, and the purpoſes of the Whigs were not altogether fruſtrated by their defeat[22]. The alarm for the proteſtant ſucceſſion was now propagated under the ſanction of thoſe, who, in all other queſtions, ſided with the miniſters, and were ſuppoſed to ſeparate from them in this, from the pure impulſe of conviction and patriotiſm.

But though the general queſtion was loſt, particular motions of the ſame ſpirit and tendency were carried in both houſes. The application of the queen to the duke of Lorrain, agreeably to the addreſs of the lords in the laſt parliament, for ſending her brother out of his dominions, not having been complied with, a general ſuſpicion aroſe, that it had not been urged with ſincerity; and it was even inſinuated, that the unfortunate prince had put himſelf under the duke's protection in conſequence of a ſecret article agreed to by the plenipotentiaries at Utrecht[23]. It was expected, that the inveſtigation of this ſubject would lead to a diſcloſure of the real temper and views of the court. Both houſes addreſſed her majeſty to lay before them an account of the ſteps ſhe had taken, purſuant to the addreſs of the lords in the laſt parliament, for removing the pretender

15th, 17th March.

[21] Journals Lords, 3d; Com. 15th, 16th April. The words of the queſtion were, whether the proteſtant ſucceſſion was in danger under *her majeſty's adminiſtration*. The Whigs, obſerving that this expreſſion was offenſive to ſeveral members, becauſe diſreſpectful to the queen, wiſhed to make the queſtion general, but the miniſters oppoſed any alteration; and the iſſue of the vote, contrary to the intention of the movers, was aſcribed to this circumſtance. Political State, vol. vii. p. 315. The votes in the houſe of lords ſtood 76 againſt 64. In the houſe of commons the queſtion was negatived without a diviſion.

[22] Tindal, vol. x. p. 172. Lord Angleſey, and the archbiſhop of York, in the houſe of lords, and ſir Thomas Hanmer, &c. in the houſe of commons, who were Tories, voted with the Whigs.

[23] The propoſal of the chevalier's reſiding at Lorrain came from the French agent. Meſnager, p. 280. The queen certainly was not ſerious in her remonſtrances againſt his continuing there; for a conſiderable time intervened between the application of the parliament and the letter written by her majeſty for that purpoſe. Report of the Secret Committee, p. 134.

from

from the dominions of the duke of Lorrain. Upon aſſurances that her majeſty had complied with that requeſt, ſhe was again addreſſed to continue preſſing inſtances with the duke of Lorrain and the emperor to remove her brother from their dominions; and, at the ſame time, to offer a premium in her own name for apprehending him in caſe of his landing in Britain or Ireland [24]. The obſervations and motions, introduced in the courſe of the debates upon this ſubject, not only reflected upon the honour of the queen, but did violence to thoſe affectionate feelings which probably never were extinguiſhed in her breaſt; and ſeemed to have grown ſtronger upon the decline of her health. It was urged by the members in oppoſition, that it was incredible a petty prince of the empire ſhould dare to reſiſt the demands of ſuch a powerful ſovereign, ſupported by the united voice of her parliament and people; that from the ſtrain of a letter, ſaid to be written by the duke to the queen, now in the hands of the public, he obviouſly underſtood her majeſty's application to be a piece of empty formality, and had her previous conſent for the hoſpitality with which he entertained her brother [25]. Upon the motion for addreſſing her majeſty to offer a premium for apprehending the pretender, it was propoſed by the earl of Wharton, to add the words, whether *dead or alive*; and this barbarous idea was eſpouſed by ſome of the moſt reſpectable names in the whig liſt, but, for the honour of the legiſlature, rejected by a great majority with that indignation which it juſtly merited. Attending to theſe circumſtances, we are not ſurpriſed that the queen deviated from her ordinary reſpect to official ceremony, and anſwered the lords in terms expreſſive of her uneaſineſs and diſpleaſure. She ſaid, "that ſhe "did not ſee any occaſion for ſuch a proclamation; that it would

8th April.

13th.

[24] Journals Lords and Commons, paſſim.

[25] Hiſtory of the Firſt and Second Seſſion of the laſt Parliament, p. 54. The Whigs and the Jacobites were equally induſtrious in diſperſing copies of the duke's letter, which contained ample teſtimonies of the virtues and amiable character of the chevalier. The former believed it to be well calculated for convincing the nation of the inſincerity of the court, and the danger of the proteſtant ſucceſſion; the latter hoped that it would promote an eſteem for the character of the ſucceſſor whom they favoured. Idem, p. 32.

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" ſtrengthen the ſucceſſion of the houſe of Hanover, and her own " government, if an end was put to theſe groundleſs fears."

A coincident tranſaction, originating with the Whigs, contributed to exaſperate the queen; and to overwhelm her with inexpreſſible perplexity and diſmay.

After the meeting of the parliament, the Whigs had renewed their application to the electoral prince for his pecuniary aid, which they could not prevail upon him to give in any degree ſuitable to their expectations[26]. Diſſatisfied with his conduct, they were almoſt tempted to diſcontinue any farther exertions for ſerving him; but many of them had gone too far to retreat without perſonal danger. Some, we may fairly ſuppoſe, were influenced by the moſt honourable motives, being truly perſuaded, that the proteſtant ſucceſſion, eſſential to the freedom of the nation, was endangered from the meaſures of the preſent adminiſtration. Under this impreſſion, they found it neceſſary to adopt ſome expedient for conſtraining the elector to take an oſtenſible part in the political affairs of England. By the advice of the whig leaders, baron Schutz, envoy extraordinary from the court of Hanover, waited upon the chancellor, and, in name of the electoral prince, requeſted that a writ ſhould be made out for his highneſs to take his ſeat in the houſe of peers as duke of Cambridge; and, at the ſame time, intimated that it was the intention of the elector to reſide in England, and attend his duty as a member of the houſe of lords[27]. The chancellor, being

[26] So far from being diſpoſed to give penſions to his friends, the Hanoverian agent was ſoliciting a penſion from the queen for the princeſs Sophia. Robethon's Letter to de Grote, January 1713. Hanoverian Papers. See alſo Schutz's Letter to Bothmar, 10th, 13th October; alſo to Robethon, 30th, 31ſt October; Bothmar's to Robethon, 30th December.

[27] Political State, vol. vii. p. 322. The author of the Life of Lord Halifax aſcribes this project to his lordſhip. I have ſeen an original paper written by Mr. Archerly, in which he aſſumes to himſelf the whole merit of this buſineſs, and mentions all the circumſtances relative to it. It appears that the whig miniſters, to whom Archerley applied for preferment after the acceſſion of George I. did not contradict his pretenſions; but alleged, in excuſe for their not promoting him, that the ſcheme had never met with the approbation of that prince, but, on the contrary, had been conſidered by him as officious, and adverſe to his intereſt. Archerly's Caſe. MSS. Walpole Papers. See alſo Cunningham, vol. ii. p. 441.

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taken at ſurpriſe, waved giving any explicit anſwer to this requeſt, till he had the opportunity of laying it before the privy council. After mature deliberation, the miniſters judged it expedient to expreſs their willingneſs to comply with the demand, while every method was uſed to prevent its being inſiſted upon or carried into effect. The queen was filled with indignation at the ambaſſador, and forbade him to appear at court. Mr. Harley, the reſident at Hanover, was inſtructed to complain of the officious inſolence of Schutz; and to repreſent, that any endeavours for bringing the electoral prince into Britain would only operate to the prejudice of his ſucceſſion; and, when it appeared from the anſwer of the reſident that the deſign was not laid aſide, the queen herſelf wrote letters to the princeſs Sophia and the duke of Cambridge, expreſſing her fixed reſolution to oppoſe, at every hazard, a meaſure tending to the diſparagement of her authority, and the deſtruction of her private happineſs[28].

13th April.

18th.

It was not eaſy for the elector to decide upon buſineſs of ſuch a delicate nature, and pregnant with difficulties on every ſide. He was threatened with the deſertion of the Whigs, if he did not comply with their invitation; and by the queen, if he did. On the one hand, the former repreſented his preſence in England as the moſt effectual meaſure for removing every doubt concerning the ſincerity of the queen and the miniſters, as well as for ſecuring the fidelity of his own friends, who began to ſlacken in their zeal for his ſervice[29]. On the other hand, eſtimating the menaces of the queen by the feelings which were natural in her ſituation, he had too much cauſe to fear her carrying them into execution; and beſides, upon the ſuppoſition

[28] Political State, vol. vii. p. 599. Schutz's Letter, 29th April. Hanoverian Papers, 1714. A propoſal was at this time made in the cabinet, for withholding from the elector of Hanover the pay of his troops after the day of his having refuſed to concur with her majeſty in a ceſſation of arms; but this propoſal was thwarted by lord Oxford; and as his oppoſition diſappointed the reſentment of the queen, it was afterwards ſtated, by his rival, as an evidence of his partiality to her ſucceſſor. Compare Hiſtory of the Firſt and Second Seſſion, p. 79, and Whiteſtaffe, p. 34, 5.

[29] Hanoverian Papers, 1713, 14, paſſim.

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of his reſiding in England, it was not likely, that the caprice and jealouſy of parties would permit him to remain in that ſtate of neutrality, which was the ſafeſt and moſt honourable for himſelf, while the ſucceſſion was ſtill in dependence.

In the meanwhile, the ſteps taken by the Whigs, and the uncertainty of the elector's reſolution, contributed eſſentially to his intereſt, as it rendered every party more aſſiduous in profeſſions of attachment to his family. Even the miniſters were not behind in theſe, and thus pledged themſelves to proſecute every meaſure for fortifying his ſucceſſion, that did not infringe the prerogative or hurt the feelings of the queen. A conſiderable riſe in the ſtocks was no dubious evidence of the general ſatisfaction, ariſing from circumſtances ſo favourable to the proteſtant ſettlement[30].

In the various debates upon the ſtate of the nation, every topic was brought forward, that was calculated to increaſe the unpopularity of the miniſters; or to confirm the ſuſpicion of their deſigns againſt the houſe of Hanover. The caſe of the Catalans was repeatedly taken under the conſideration of both houſes; and her majeſty was addreſſed by the lords to continue her interceſſions with the king of Spain in their behalf. From the ſtatement of facts, relative to this ſubject, which was communicated by the miniſters, it appeared, that they had not been guilty of the remiſſneſs and treachery, imputed to them by the party in oppoſition.

31ſt March. 3d April.

The Whigs were alſo diſappointed with the reſult of an inquiry, in the houſe of lords, relative to the conduct of the treaſurer, for diſtributing the ſum of three thouſand, ſeven hundred and ſixty pounds annually, among the chiefs of the Highland clans. As ſeveral of them were papiſts and Jacobites, this meaſure was repreſented in the odious light of patroniſing a ſeminary for rebellion; and adduced as one of the ſtrongeſt arguments of the hoſtility of miniſters to the proteſtant ſucceſſion. It appeared, however, to the ſatisfaction of the houſe, that lord Oxford had only followed the

9th.

[30] Cadogan's Letter to Bothmar, 7th May 1714. Hanoverian Papers.

example of king William, who had found ſuch donations the cheapeſt and moſt effectual plan for reſtraining the hands of an uncivilized and numerous body of ſubjects, whoſe turbulent ſpirit and remote ſituation rendered them capable of giving great diſturbance to government[31]. CHAP. XXIII. 1714.

In the courſe of ſeveral debates on the ſtate of the nation, the oppoſition often adverted to the number of outlawed perſons who had returned to Britain after the peace; to the many publications in defence of the pretender's right; to the enliſting men for his ſervice in Ireland; and to the notorious neglect of the miniſters in not proſecuting the offenders in all the caſes ſpecified[32]. By conſtantly preſſing theſe ſubjects on the attention of the public, under the form of addreſſes to the queen, the Whigs obtained, in effect, the conſent of parliament to the ſubſtance of the propoſition which had been rejected in its ſimple form, namely, that the proteſtant ſucceſſion was in danger. Her majeſty was at length conſtrained, for the ſake of ſoothing the general alarm, to adopt a meaſure moſt painful to her feelings, and to iſſue a proclamation, offering five thouſand pounds to any perſon who ſhould apprehend the pretender in Britain or Ireland[33]. 23d June.

Although, from the general complexion of their proceedings, it appears, that the houſe of lords were by no means obſequious to the court, yet they anticipated the other houſe in propoſing an addreſs to her majeſty upon the peace, and expreſſing their approbation of it in the moſt ample and explicit terms. The adoption of this meaſure, while inqui- 16th April.

[31] The more diſcerning Whigs were aſhamed for having made this inquiry; it had been ſuggeſted by the duke of Argyle, who diſcovered at this time great reſentment againſt lord Oxford. Biographia Britan. vol. iii. p. 203.

[32] Political State, vol. vii. paſſim.

[33] There ſeems to have been ſome myſtery in this proclamation, as both the earl of Oxford and lord Bolingbroke profeſſed to be ignorant of it. "When they were called into council, "the queen, giving nobody time to ſpeak, ſaid, "that ſhe had reſolved on a proclamation, which "ſhe cauſed to be read; and then, without "aſking any body's advice, went out, ſo that "it was all her own act." Carte's Memorandum Book, July 9th, 1725. Stuart Papers, 1714. It is probable that the queen was ſtruck with a panic at this time, in conſequence of a plan having been ſuggeſted to her of ſending her brother to England; for ſhe was as much afraid of his preſence as of the elector's. Berwick's Memoirs, vol. ii. p. 187.

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ries relative to particular conditions of the treaty were ſtill depending, appeared to be rather precipitate and inconſiſtent; and can only be accounted for from its having obtained the ſupport of ſome lords in oppoſition, who perceived, that while the queſtion was in reſerve, it cemented the cabinet, which was likely to divide, as ſoon as the only buſineſs, in which it had a common intereſt, was concluded[34].

25th June. An act for preventing the growth of ſchiſm, which paſſed in the courſe of this ſeſſion, was the moſt violent infringement upon liberty of conſcience recorded in the annals of parliament. The object of it was, not only to give more certain effect to the exiſting laws for retrenching the political influence of diſſenters; but to operate to the extinction of their principles, by rendering them incapable of having any ſhare in the education of youth.

All the arguments, in defence of this act, proceeded upon the ſuppoſition that the diſſenters had acted criminally, in having availed themſelves hitherto of thoſe privileges of which they were now to be deprived. They were repreſented to have abuſed the indulgence of the legiſlature by multiplying ſchools, and by devoting themſelves with diligence and ſucceſs to the education of youth.

In addition to the arguments againſt every enchroachment upon religious liberty, which had been formerly introduced in queſtions of a ſimilar nature, it was objected to this bill, that it was barbarous to deprive parents of the natural right of educating their own children; that it would tend to the ſpread of ignorance and irreligion, becauſe, in many places, the ſchools were taught only by proteſtant diſſenters; that a number of reſpectable individuals would be deprived of their only means of ſubſiſtence, which aroſe from teaching youth; that it would prove extremely hurtful to manufacturers and trade, which had been improved by the proteſtant refugees; that it would be injurious to the honour of the queen, after ſhe had made frequent and ſolemn declarations to maintain the toleration; and that it would be to the laſt degree impolitic to widen the breaches among proteſt-

[34] The commons joined in this addreſs.

ants,

ants, and to irritate the diſſenters, who were firm friends to the act of ſettlement, at a time when it was expoſed to multiplied dangers, from domeſtic conſpiracies and foreign intrigues[35]. The bill, after having undergone ſeveral amendments, was carried in the houſe of commons by two hundred and thirty-ſeven votes againſt one hundred and twenty-ſix, and in the houſe of lords by the ſmall majority of eight[36]. CHAP. XXIII. 1714.

The firſt report of the commiſſioners of accounts, which was delivered to the houſe of commons early in the ſeſſion, expoſed many examples of abuſe and extravagance in the foreign ſervice, and ſome in the management of the revenue of Scotland, under the preceding adminiſtration; but, whether it aroſe from the want of evidence to ſupport the charges alleged, or becauſe the preſent miniſters, on the eve of a rupture among themſelves, were looking forward to a coalition with their opponents, no reſolutions were adopted on the ſubject. As the former commiſſion had now expired, a bill paſſed in the houſe of commons for appointing a new one; but it was thrown out by the lords, who conſidered this inquiſitorial committee as a two-edged weapon, fitted for the purpoſe of miniſterial vengeance, as well as of public juſtice and reformation. 13th April. 17th June. 7th July.

The example of the laſt parliament in overturning the commercial treaty with France, while the miniſters were in the height of their power, furniſhed the oppoſition with a proſpect of ſucceſs in

[35] Letter to a Member of Parliament againſt the Schiſm Bill. Memoirs of the Four Laſt Years, p. 297. Journals Lords, 15th June.

[36] Journals Lords, 1ſt, Journals Commons, 13th June. In the courſe of debate upon this bill, in the houſe of commons, a motion was made by a tory member to drop it, on the condition of the houſe agreeing to ſubſtitute another in its place, for rendering diſſenters incapable of voting at elections, or being themſelves elected repreſentatives to parliament; from which it appears, that to weaken the influence of the Whigs was the principal deſign of the bill. It was probably intended at the ſame time, by the miniſters, as an atonement to the high-church party, for having ſo long poſtponed ſome marked expreſſion of their zeal for the eſtabliſhment. The conduct of lord Oxford, with reſpect to this bill, was irreſolute and ambiguous. In the cabinet he propoſed ſoftening the rigorous clauſes; his relations took different ſides when it came under the diſcuſſion of parliament; and he himſelf was abſent from the houſe on the day of its final deciſion. Political State, vol. vii. p. 501, &c. Hiſtory of the Two Laſt Seſſions of Parliament, p. 73. The queen died on the day fixed for the commencement of this act; politics taking a different turn, the execution of it was ſuſpended; and it was afterwards repealed in the year 1718.

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impeaching a ſimilar one with Spain, which was deemed unfavourable to the mercantile intereſt of Britain [36]. When the trade of England with Spain and the Weſt Indies came under diſcuſſion in the houſe of lords, objections were made to explanations of ſome articles which had been adopted at Madrid, poſterior to the ſigning of the treaty at Utrecht [37]. An addreſs was preſented, beſeeching the queen to inform the houſe in what manner, and by whoſe advice, the alteration of theſe articles had been brought about. Her majeſty ordered the papers relative to the treaty to be laid before them, but ſaid nothing concerning the perſons who adviſed it.

Articles 3. 5. 8.

2d July.

5th.

Independent of any official information upon this ſubject, the lords found ſufficient documents for cenſuring thoſe articles which related to commerce, and for ſuſpecting the ſelfiſh conduct of the perſons who adviſed her majeſty to approve of them. At the commencement of this ſeſſion, ſeveral of the moſt reſpectable members of the South-Sea company had made a motion, to decline her majeſty's offer of conſigning to them the excluſive occupation of the Aſſiento trade, becauſe they had underſtood that one-half of the profits ariſing from it was to be withheld. After a warm debate, her majeſty's offer was accepted, which however was imputed to political influence, rather than to a perſuaſion of its redounding to the benefit of the company [38]. Mr. Arthur Moore, who had been employed by lord Bolingbroke to negotiate the commercial treaty with Spain, gave ſuch contradictory anſwers relative to this tranſaction at the bar of the houſe of lords, that it became more myſterious and

[36] By the treaty of commerce it was agreed, that the trade with Spain ſhould be put on the ſame foot as in the reign of Charles II. of Spain; and that all new duties, exacted ſince the war, ſhould be annulled; but, by the three explanatory articles added to this treaty, a duty of 10 *per cent. ad valorem* was to be laid on all commodities exported or imported by the ſubjects of Great Britain, inſtead of the old duties in the above mentioned reign; which duty was higher than the old duties: the Britiſh merchants were alſo ſubjected to other reſtrictions adverſe to the trade with Spain.

[37] The treaty of peace with Spain was ſigned 13th July 1713; but the commercial treaty was not concluded till the 17th Nov.

[38] Political State, vol. vii. p. 171. Diſſent. Lords Journals, 8th July. One-fourth of the contract was to be reſerved for her majeſty, beſides perquiſites to individuals, deduced from the profits of the company.

ſuſpected;

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ſuſpected; and, while the buſineſs was ſtill depending, the South-Sea company, from a full conviction of Mr. Moore's duplicity and breach of truſt, declared him incapable of holding any employment in their ſervice [39]. In the farther proſecution of this inquiry, it was diſcovered by the lords, that a fourth part of the profits of the Aſſiento contract had been reſerved for her majeſty; and there was every reaſon for believing that this had been done by the advice of ſome of her favourites, who were themſelves to reap the fruits of it [40]. A motion was made for addreſſing her majeſty to reſign her ſhare to the company; and, though it was rejected, other motions were introduced with the hope of rendering the inquiry ſubſervient to the diſgrace of the perſons principally concerned in this buſineſs; but, while theſe were in agitation, the queen unexpectedly came to the houſe, and put an end to the ſeſſion [41]. 9th July.

The circumſtances attending this inquiry, and the ſudden interruption of it, were public proofs of that miſunderſtanding which had taken place between the earl of Oxford and lord Bolingbroke, as well as of the partiality of her majeſty to the latter. The earl and his friends had been eager in promoting an inquiry, which tended to expoſe the clandeſtine practices, and to thwart the aſpiring projects of his colleague. Her majeſty reſcued the ſecretary by the ſudden prorogation of parliament.

A remarkable change was obſerved in the temper of the members in the lower houſe of convocation, which met together with this parliament. In queſtions of a political nature, their reſolutions were temperate and guarded; and they unanimouſly joined in the addreſs of the biſhops to the queen. Their moderation was not equally con- 6th March.

[39] Journals Lords, 2d, 5th, 6th, 8th July. Tindal, vol. x. p. 216.

[40] Lord Bolingbroke, lady Maſham, and Mr. Arthur Moore were the perſons ſuſpected. Tindal, vol. x. p. 217. Lord Oxford, if we may believe his apologiſts, declined the acceptance of any ſhare of the profits, becauſe he thought it unjuſt to the company.

[41] Political State, vol. vii. p. 570. Her majeſty, after this buſineſs was introduced, made over to the company her own ſhare of the contract; and received the thanks of the lords for doing it, 8th July.

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ſpicuous in thoſe proceedings, which related to theological controverſy and eccleſiaſtical diſcipline. They gave in a repreſentation to the biſhops, complaining of certain publications by the celebrated Dr. Samuel Clarke, which contained aſſertions contrary to the faith of the church of England concerning the Trinity [42]. The doctor delivered a paper to the biſhops, ſtating his opinions on the point in queſtion, and expreſſing his anxiety to preſerve the peace of the church, by avoiding to publiſh any more upon the ſubject which had given offence [43]. The biſhops were ſo far ſatisfied with this conceſſion, that they thought it inexpedient to proſecute the complaint. The lower houſe did not acquieſce in this moderate reſolution, becauſe the doctor had not made an explicit recantation of his opinions: the concluſion of the ſeſſion put a ſtop to their proceedings [44].

The ſudden prorogation of parliament became the ſubject of general diſcuſſion, and was applauded or condemned, according to the different views which were entertained concerning the motives from which it proceeded, and the effects of which it might be productive. The friends of the exiled family were well pleaſed with the interruption of a ſeries of meaſures, which multiplied the obſtructions to every attempt in favour of the lineal heir. Many, well affected to the proteſtant ſucceſſion, were of opinion, that the lords had carried their jealouſies too far; and, ſympathiſing with the feelings of the queen, thought ſhe had done well in adopting a fair expedient for obtaining a reſpite from the perplexity and diſtreſs, to which ſhe was continually expoſed during the ſitting of parliament. But the prorogation of parliament gave a ſerious alarm to others, who believed that the proteſtant ſucceſſion was in danger; and that the miniſters

[42] Political State, vol. vii. p. 495.

[43] Hiſtory of the Firſt and Second Seſſion of the Laſt Parliament, p. 20. The doctor declared, that he never had omitted the 3d and 4th petitions of the litany when he performed public ſervice; and that the Athanaſian creed had only been occaſionally omitted at the morning prayers for the ſake of brevity, at the diſcretion of the curate, and not by his appointment. Idem, p. 20, 21. The queen was greatly offended with the doctor, and ſtruck him out of the liſt of chaplains.

[44] Political State, vol. vii. p. 561, &c.

only

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only wiſhed to have full ſcope for purſuing their clandeſtine ſchemes in favour of the pretender, which had hitherto been reſtrained by the vigilance and activity of the legiſlature. This perſuaſion became ſtronger from obſerving, that the courſe of promotions had been running for ſome time in favour of perſons, ſuſpected of an attachment to the houſe of Stuart; and that ſeveral officers of the army, the beſt affected to the proteſtant ſettlement, had been lately deprived of their commiſſions[45].

Rouſed by theſe alarming circumſtances, the leaders of the Whigs now began to hold frequent conſultations, and to concert meaſures for counteracting thoſe deſigns which they believed to have been formed by their enemies. The duke of Argyle, general Cadogan, and general Stanhope, were active in preparing the officers, whom they knew to be friendly to the Hanoverian ſucceſſion, for taking the moſt likely ſteps to ſecure the allegiance of the Engliſh army, while the agents of the elector negotiated with the States and other foreign powers for a ſupply of troops and ſhips, in caſe of his finding it neceſſary to uſe force for eſtabliſhing his claim to the crown of Britain. A ſcheme was formed for ſeizing the tower upon the firſt approach of danger; and an aſſociation was entered into by ſeveral whig leaders for defending the proteſtant ſettlement[46].

After

[45] The duke of Argyle was removed from all his places, April, and the command of the Scottiſh guards was given to the earl of Dundonald; upon which the duke received ten thouſand pounds. Colonel Egerton and colonel Sydney were ordered to ſell their companies in the foot-guards, for the ſum of a thouſand pounds each; and M. General Devenport, to ſell his poſt of lieutenant of the firſt troop of life-guards. The diſmiſſed officers urged the diſgrace they had endured, as a teſt of their fidelity to the houſe of Hanover, upon the arrival of George I. Memorial of the Duke of Marlborough. Hardwicke's Collection, vol. ii. p. 522.

[46] Memoirs of the Four Laſt Years, p. 313. Tindal, vol. x. p. 143. Theſe proceedings did not eſcape the notice of the miniſters; and, in the courſe of the laſt ſeſſion, lord Oxford had moved for a bill to make it treaſon to bring foreign troops into the kingdom, 17th March. The motion was ridiculed by the Whigs, becauſe foreign troops, if not brought into the kingdom with the permiſſion of the legiſlature, were open enemies; but, as the treaſurer could not be ignorant of this, his intention probably was, to convey to the Whigs a hint of his being acquainted with their deſigns.

It is a curious fact, that the duke of Marlborough refuſed to ſign the whig aſſociation. Tindal, vol. x. p. 144. From this circumſtance,

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After the diſſolution of parliament, the diſcords of the cabinet daily increaſed; and at length aroſe to the moſt indecent violence. The rival miniſters were now incapable of reflecting that their cauſe was ſtill indiviſible, and that they muſt ſtand or fall together. Every conſideration of private intereſt and reputation was abſorbed by the fury of reſentment; and for the ſake of gratifying it, they put all to hazard [47]. The earl of Oxford and lord Bolingbroke ſtrove to deprive each other of the good opinion and patronage of the queen; and each of them grew more tenacious of his place from the deſire of mortifying the other. The treaſurer complained of the turbulence, the inſolence, and rapaciouſneſs of his rival. The ſecretary accuſed the treaſurer of betraying the honour of his miſtreſs; of intriguing with the friends and family of the ſucceſſor, and of concurring with her majeſty's enemies at home, to retrench her prerogative and expoſe her reputation, together with that of her faithful ſervants, to public infamy. The latter found a powerful auxiliary in lady Maſham, whoſe reſentment rendered her now no leſs eager to diſgrace the earl of Oxford, than her ambition had formerly to advance him to pre-eminence in adminiſtration [48].

The

ſtance, there ſeems ground to conclude, that he was ſtill wavering, and choſe to reſerve himſelf for the juncture of circumſtances, at the opening of the ſucceſſion.

The princeſs Sophia died on the 9th June, an event which was reckoned favourable to the proteſtant ſucceſſion, becauſe her ſon, veſted with royalty, would be enabled to act with greater promptitude and vigour than he could under delegated authority.

[47] Political State, vol. vii. p. 624—6. The earl of Oxford was ſupported by the duke of Shrewſbury, lord Bingley, the duke of Buckinghamſhire, and thoſe of the Tories who were ſuppoſed to be friendly to the proteſtant ſucceſſion: lord Bolingbroke was ſupported by lady Maſham, the duke of Ormond, the lord high chancellor Harcourt, the biſhop of Rocheſter, and others of the high-church party. Cunningham, vol. ii. p. 440.

[48] Life of Bolingbroke. Oxford's Letter to the Queen. Political State, vol. vii. p. 614. The conſciouſneſs of her effectual aſſiſtance, in raiſing lord Oxford to power, rendered lady Maſham impatient of his miniſterial control in any caſe where her private intereſt was concerned, and created expectations, which he could not gratify conſiſtently with honour and duty. Her diſpleaſure was firſt excited againſt him by his oppoſing the Canada expedition, 1711, the command of which was given to her brother; and, as lord Bolingbroke had a joint ſtake in that affair, it naturally promoted a coalition between him and the lady, for the purpoſe of ſubverting the treaſurer's influence with the queen. The earl of Oxford farther incurred lady Maſham's reſentment, by diſapproving of the queen's generoſity in granting her a penſion of fifteen hundred pounds per annum; and

her

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The cabinet at length became a theatre of wrangling and ſcurrility. Reproaches and recriminations, vented by the indignant rivals in the very preſence of the ſovereign, inſulted her dignity, and filled her with perplexity and diſmay. A regard to public buſineſs, as well as to her own tranquillity, left her no alternative but the diſmiſſion of one or both of the contending miniſters. The ſtaff was taken from the earl of Oxford, at Windſor, on the evening of the 27th July [49], before her majeſty had yet fixed upon his ſucceſſor. His removal did not reſtore that interior harmony which was expected. For, after it had been agreed to put the treaſury into commiſſion, the privy counſellors preſent were divided in their opinions about the perſons fitteſt for that important truſt. The heat of their diſputes, prolonged till two in the morning in her majeſty's preſence, threw her into dreadful agitation, which was followed by ſuch an alarming diſorder as rendered her unable to come to the council next day, when ſhe intended to ſettle the new arrangements [50]. On the 29th, the ſymptoms of danger increaſed, and indicated, on the day following, a ſpeedy approach of her diſſolution.

The duke of Somerſet, and the duke of Argyle, when they were informed of the queen's ſituation, repaired immediately to Kenſington, where the privy council was ſitting; and readily accepted

her indignation againſt him roſe beyond all bounds, for his promoting the inquiry into the Aſſiento contract, which deprived her of the immenſe profit, which ſhe expected to derive from being a partner in it under the royal name. "He has been," ſays ſhe in a letter to Dr. Swift, 29th July 1714, giving him the nickname of the Dragon, "the moſt un-" grateful man to the queen, and to all his " beſt friends, that ever was born."

[49] Lord Oxford ſays, in a letter to Dr. Swift, that he had no power in the cabinet ſince the 25th July 1713. Swift's Letters, N° 147. Both he and lord Bolingbroke had for ſome time paſt been courting the whig lords; and it was ſaid, that the diſcovery of lord Oxford's inviting the duke of Marlborough to come to England, and of his making known the queen's counſels to the court of Hanover, was the immediate cauſe of her majeſty's diſpleaſure. Political State, vol. vii. p. 623. The day the treaſurer's ſtaff was taken from lord Oxford, lord Bolingbroke gave an entertainment to generals Stanhope, Cadogan, and Palmer, Sir William Wyndham, Mr. Craggs, and ſeveral Whigs.

[50] The queen aſcribed her illneſs to the agitation of her ſpirits; and ſaid to one of her phyſicians, that ſhe ſhould not outlive it. Tindal, vol. x. p. 227. Swift's Letters, N° 148, 149.

of

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of an invitation from the miniſters to aſſiſt with their advice at the preſent intereſting juncture. It appeared of the greateſt importance, that the office of treaſurer ſhould be filled; and the council unanimouſly agreed to recommend the duke of Shrewſbury to her majeſty as the fitteſt perſon for that appointment; which being intimated to her, at an interval of eaſe, ſhe put the treaſurer's ſtaff into his hands, and expreſſed her entire ſatisfaction with the diſpoſal of it [31].

31ſt July.

All the privy counſellors in London were called to give their attendance in council. The moſt expeditious meaſures were concerted for ſecuring the city, and for ſtrengthening all the forts and maritime towns. Mr. Craggs was diſpatched to the court of Hanover, that the elector might be prepared to ſet out for England upon the firſt notice of the queen's death. In the evening, after ſhe had appointed the new treaſurer, her majeſty fell into a lethargy, and continued inſenſible till ſhe expired on the morning of the 1ſt of Auguſt, in the fiftieth year of her age.

Mildneſs, timidity, and anxiety were conſtitutional ingredients in the temper of this princeſs; and to their influence, chiefly, we may aſcribe moſt of the intereſting occurrences in her government, and private life. While ſhe relied implicitly upon the counſels of her favourites, they were not reſtrained, by the fear of her reſentment, from abuſing indulged power, and violating the obligations of gratitude. Although ſhe had imbibed all the keenneſs of a party ſpirit, yet ſhe was deterred from purſuing its impulſe by the firſt appearance of danger. She diſcarded the Tories, who, from the confidence of her patronage at the beginning of her reign, were running into a courſe of meaſures, tending to the diſunion of her ſubjects, and the danger of the proteſtant ſucceſſion. Under the awe of a ruling junto, ſhe gave her ſanction to the continuance of the war, contrary to the bent of her own judgment and feelings, at a time when

[31] Tindal, vol. x. p. 229.

ſhe

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she had the opportunity of putting an end to it, upon terms more advantageous for Britain, than those which were finally obtained. Harassed at the close of her days by the jealousies of the Whigs, and their urging securities for the protestant settlement, which did violence to her affections, she was prevented by the apprehension of personal danger, more than by principle or inclination, from taking any resolute steps for transferring the succession of the crown to her brother.

She had high notions of prerogative, which however produced no worse effect, than rendering her partial to its advocates.

The ingratitude of her first favourites rendered queen Anne more suspicious and guarded, after their dismission; and a distrust of her ministers, and an unwillingness to yield to their advice in the last years of her reign, were one cause of their slowness in the prosecution of that system of measures, which was expected from the promises they had made to the Tories, before they came into power. They had gained the queen's favour by recommending to her the exercise of independent authority; and this made her afterwards the more positive in resisting any proposal which did not immediately meet with her approbation [53].

This

[53] This view of the queen's character, which has not been attended to by any historian, is authenticated by Dr. Swift, who had the best access to know her from the information of her ministers. "I will tell you one "great state secret: The queen, sensible how "much she was governed by the late ministry, "runs a little into the other extreme, and is "jealous in that point, even of those who "got her out of the other's hands." Journal to Stella, February 1711.

"The queen grew so jealous upon the "change of her servants, that often, from "fear of being imposed on and over caution, "she would impose upon herself. She took "a delight in refusing those who were "thought to have had the greatest power "with her even in the most reasonable things, "and such as were necessary for her service, "nor would let them be done, until she fell "into the humour of it herself." Swift's Memorial on the Change of Ministry 1710.

"In dispensing her favours, she was ex- "tremely cautious and slow; and, after the "usual mistake of those who think they have "been imposed on, became so very suspicious "that she overshot the mark, and erred on "the other extreme. When a person hap- "pened to be recommended to her as useful "for her service, or proper to be obliged, "perhaps, after a long delay, she would con- "sent; but if the treasurer offered at the "same time a warrant, or other instrument to "her, already prepared, in order to be signed,

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This princeſs has had the ſingular fate of being both praiſed, and condemned, for her conduct as a relation. By one party ſhe has been repreſented as an amiable pattern of domeſtic tenderneſs; and by another, as an odious example of filial depravity. She was a kind and dutiful wife; and though encumbered with the cares of royalty, and depreſſed with bodily infirmities, ſhe never omitted the minuteſt conjugal reſpect, and attended the ſick-bed of her huſband with ſympathy and tenderneſs, almoſt unexampled in the higher ranks of life. She loved her children with the fondeſt affection, and paid the moſt aſſiduous attention to their health and education. But ſhe has been accuſed of hard-heartedneſs in abandoning her father in the hour of his extremity.

While we aſcribe what all have approved of, in the domeſtic behaviour of Anne, to a ſenſe of duty, and her own native diſpoſition, we ought not to overlook thoſe peculiar circumſtances in her ſituation, which afford ſome apology for the ſuſpenſion of natural affection, though they do not amount to a juſtification of it. The habit of a blind deference to the advice of lord and lady Churchill, and a conſcientious anxiety for the proteſtant religion, expoſed to the extremity of danger, ſtifled the emotions of filial tenderneſs, in a moment of ſingular agitation and perplexity, and precipitated her into an action, which would have been inexcuſable, if it had been the reſult of cool deliberation, and originated from motives of intereſt and ambition.

In all the different ſtations ſhe filled, this princeſs had the merit of obſerving the ſtricteſt rules of œconomy, in the management of her fortune; while ſhe was not deficient in charity, and exceeded in bounty to her favourites.

" becauſe he preſumed on her conſent before-
" hand, ſhe would not; and thus the affair
" would ſometimes be for ſeveral months to-
" gether, although the thing were ever ſo
" reaſonable, or that even the public ſuffered
" by the delay. So that the miniſter had no
" other remedy, but to let her majeſty take
" her own time, which never failed to be the
" longeſt the thing could ſuffer." Swift's Enquiry into the Behaviour of the Queen's laſt Miniſtry.

It is a remarkable fact that no perſon was executed for treaſon in Britain during the reign of queen Anne. Tind. vol. x. p. 256.

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In the diſcharge of religious duties, ſhe was regular and exemplary. Her zeal for the proſperity of the church was atteſted by extending the means of public inſtruction; by augmenting, at her own expence, the livings of the poor clergy; and by expreſſing, on all occaſions, a ſolicitude for the purity of the clerical character.

She poſſeſſed a conſiderable degree of taſte for the fine arts; amuſed herſelf with muſic and painting; and delivered her public ſpeeches with a melodious propriety, that charmed the ears of her audience.

The deceitfulneſs of grandeur, as a criterion of happineſs, has often been inferred from the condition of royalty; and was remarkably verified in the life and reign of queen Anne. We behold a nation riſing, under her auſpices, to the ſummit of proſperity. While ſignal ſucceſs crowned her military exertions abroad, agriculture, commerce, manufactures, ſcience, and literature, advanced, with rapid ſteps, at home; every event, and every improvement, which contribute to the opulence, the power, and the renown of a nation, diſtinguiſh the reign of queen Anne, as the moſt propitious and brilliant recorded in the annals of Britain. But when we follow this princeſs into retirement, and ſurvey the incidents of her private life, what a contraſted ſcene diſcloſes itſelf to view; and how much are we ſtruck with the wide diſtinction between external grandeur, and perſonal felicity!

She ſurvived a numerous family of children [54]; the duke of Glouceſter, deſtined by the act of ſettlement to ſucceed her, lived to the age of twelve; and exhibited early bloſſoms of every accompliſhment, that could elevate the hopes of a nation, and delight the heart of a parent.

The poſſeſſion of a crown, held upon the condition of ratifying the degradation and exile of her own family, muſt have coſt her many a pang, which ſhe durſt not impart to the moſt confidential

[54] Six daughters and three ſons.

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friends. While looked up to as the first potentate in Europe, and loaded with congratulations upon the success of her arms, she was a slave in her own house; and subjected to daily affronts and mortifications, from the insolence and usurpations of her servants. Emancipated, at length, from her chains, she only entered upon a new scene of vexation and trial; and all her remaining days were embittered by the jealousies of her people, the turbulence of faction, and the contentions and outrage of a distracted cabinet.

DISSERTATION

CONCERNING

The Danger of the PROTESTANT SUCCESSION, during the laſt Years of the Reign of Queen ANNE.

THE danger of the proteſtant ſucceſſion was the point upon which the Whigs endeavoured to enflame the nation as often as they were out of power, and which they urged, with greater vehemence and ſucceſs, at the cloſe of this reign. It was the ſpring of the principal motions introduced by oppoſition, and occaſioned the moſt intereſting debates in both houſes during the laſt parliament. It was a ſubject that gave great uneaſineſs to the queen, embarraſſed adminiſtration, and agitated the people more than any other that occurred in the whole courſe of this reign. It cannot therefore be deemed a ſuperfluous labour, to deſcend into an accurate and full detail, of all the circumſtances and facts relative to a topic of ſuch diſtinguiſhed importance, and of the concluſions drawn from them at the time when they happened. From theſe the reader will be enabled to judge upon the following queſtions; Whether the proteſtant ſucceſſion was actually in danger; to what extent it was ſo; and whether there exiſts any evidence of a deſign having been formed by the tory miniſters, collectively, or individuals of that deſcription, ſeparately, or by the queen herſelf, for ſecuring the ſucceſſion of the crown to her brother.

The

The proſecution of this deſign will impoſe the neceſſity of repeating ſhortly ſome facts already mentioned in this hiſtory, and of inſiſting largely upon others, which, though they ought to have had an earlier place, agreeably to chronological arrangement, derive their chief intereſt from their relation to the ſubject under review.

In every period of the reign of queen Anne, as well as in that of king William, a correſpondence was carried on between the court of St. Germains and their friends, in England and Ireland. Profeſſions of good-will to the exiled prince were made verbally to his agents, and ſometimes certified under their own hands, not only by perſons originally attached to his intereſt, or thoſe that had become ſo from the irritation of diſappointments, but by a few, who were numbered among the friends of the houſe of Hanover, and truſted by the government. Thoſe obligations, which reſtrained perſons, who were in office under king William, from profeſſing attachment to the abdicated ſovereign, loſt much of their influence at the acceſſion of queen Anne. The right or claim of William, and of James, were contrary and irreconcileable. The enforcement, or effect of the one, was founded on the excluſion and deſtruction of the other. The profeſſion of allegiance, and the tender of ſervice, made by any of the miniſters of king William to his predeceſſor, were a direct and flagrant violation of probity and honour. But the right of queen Anne appeared to the Jacobites more perfect than that of William, becauſe it was of a lineal or hereditary nature, a qualification, upon which they laid the principal ſtreſs. Nor did the acknowledgment of her title militate to the final overthrow of her brother's. As it ſeemed probable from his youth and health that he would ſurvive his ſiſter, it was only a temporary ſuperſeding, or poſtponing his actual authority, to a period, when it might be hoped that the juncture of events would remove dangers, which muſt have attended his acceſſion immediately upon the death of William. He might change his religion, or ſatisfy the nation by giving ample ſecurities for the prevention of miſchief, dreaded from his adhering to it. The

queen,

queen, whatever ſhe declared or intended at preſent, might alter her ſentiments, and wiſh to devolve the ſucceſſion upon her brother.

Upon theſe principles and conjectures, it appeared to ſome, that there was no diſhonour and little danger in a divided allegiance; and that they might look forward to the lineal heir without any breach of their fidelity to the reigning prince. Suppoſing that there had exiſted no correſpondence with the court of St. Germains, and that no definitive reſolutions for ſerving it had been adopted, yet the influence of principles ſo ſpecious, and of conjectures ſo probable, increaſed the hazard of the proteſtant ſettlement, and the fears of its defenders [1].

The aſcendancy of the Tories, and the peace with France, were conſidered as events unfavourable to the proteſtant ſucceſſion, becauſe the former were ſuſpected of having a partiality to the doctrine of hereditary right, and becauſe the continuance of the war had hitherto cramped the intrigues of Lewis, who was ſuppoſed to have an intereſt in eſtabliſhing the right of the pretender [2].

From vague, indeterminate ſuſpicions, the party in oppoſition advanced to direct and ſpecific charges againſt the miniſters. It was aſſerted, that though, in order to lull the Whigs into ſecurity, they had exacted an open and formal recognition of the queen's right, and the act of ſettlement, by the French king, yet they had ſecretly conſented to reſervations which he had made for evading them, upon the vacancy of the crown of England [3].

The repeal of the barrier treaty, which bound the States to defend the proteſtant ſucceſſion, was an incontrovertible diminution of its ſecurity; and the precipitancy and dictatorial ſpirit, with which the Engliſh miniſters conducted the negotiations at Utrecht, were conſidered as diſreſpectful to the elector, and injurious to his intereſt on the continent [4].

[1] Macpherſon's State Papers, paſſim.
[2] The Engliſhman; Criſis; and Pamphlets of the Times.
[3] Idem. Report of the Secret Committee, p. 26.
[4] The Barrier Treaty vindicated.

The

The familiar intercourſe, opened between the courts of London and Paris after the peace, and the minute complaiſance of the French king in ſending preſents to the queen, which were well received, circumſtances ſimilar to what had happened during the reign of Charles II., created ſuſpicions, that the intriguing ſpirit of Lewis was not yet at reſt, and that its preſent object was the exaltation of a prince, who had imbibed every prejudice favourable to the ambition of his patron[5].

The reſidence of the chevalier in the territory of the duke of Lorrain, at no inconvenient diſtance for carrying on a correſpondence both with the court of France and his friends in England, gave a juſt alarm to the partiſans of the houſe of Hanover. The ineffectual applications of the queen for his removal, with other incidents afterwards to be mentioned, only ſerved to confirm the Whigs in their opinion, that her application had not been made with ſincerity; and that ſhe was not indifferent to the cauſe of her brother.

The growing infirmities of the ſovereign rendered the Whigs more urgent in demanding additional ſecurities for the Hanoverian ſucceſſion, and the reluctance of the queen to comply with them, and particularly her oppoſing the electoral princes coming to England, were at length deemed demonſtrative proofs of her alienation from that family. It was natural for the Whigs to fear, that their importunity, as it had failed of ſucceſs, would provoke the queen to adopt meaſures fatal to their hopes[6].

Foreign tranſactions, compared with the meaſures of adminiſtration at home, began to wear a threatening aſpect. After the news of the queen's illneſs reached France, ſeveral battalions were ordered to march towards the northern coaſts there, under the pretext of changing the garriſons. From the ſtation in which they

[5] Political State, vol. vi. p. 48.

[6] Letters of Schutz to Robethon, Jan. and Feb. 1714. Letter of Kreyenberg to Robethon, 27th Feb. 1714.

were

were placed [7]; and the expedition with which ſhips of war were at the ſame time fitting out in all the French ports, the miniſters of the elector were perſuaded, that Lewis was preparing for the invaſion of England, upon the firſt notice of the queen's death [8].

Nor did the hopes of the exiled prince depend upon the court of France alone: interceſſions were carried on, in his behalf, by the envoy of the duke of Lorrain, for procuring the friendſhip of the court of Vienna; and it was deemed no unfavourable token of ſucceſs, that a propoſal for marrying him to one of the young princeſſes of that family was politely received by the emperor, and poſtponed rather than rejected, upon account of his precarious fortune [9]. The friends of James formed ſanguine expectations from the interpoſition of the king of Sweden, whoſe ardour and intrepidity increaſed the importance of his friendſhip or enmity, far beyond the eſtimate of his natural reſources. As he was, perhaps, the only prince in Europe, who retained any portion of the high ſpirit of chivalry, and who acted from the impulſe of his feelings, more than from the maxims of a ſelfiſh and contracted policy, it was hoped, that the ſufferings of the houſe of Stuart would move his heart, and that the redreſs of them would preſent an enterpriſe, worthy of that elevation and generoſity of ſentiment for which he was diſtinguiſhed [10].

The Hanoverian family was not without ſerious apprehenſions, leſt the very principle and baſis of their pretenſions to the ſucceſſion ſhould be overturned, by the chevalier's changing, or profeſſing to change his religion. After his arrival in Lorrain, he diſmiſſed his

[7] They were ſtationed at Gravelines, Calais, Berg, St. Winnox, St. Omers, and Boulogne. One regiment was placed at Douay, another at Valenciennes, and a third at Aveſnes.

[8] Schutz's Letter to Robethon, 2d Feb. to Bothmar, 6th February, 1714. Hanoverian Papers.

[9] Letter to the Duke of Lorrain from his Envoy at Vienna, 22d February 1714. The Duke's Letters to his Envoy, March 1714. Stuart Papers.

[10] Memorial, Verſailles, 22d Sept. 1706. Memorial of Sieur Lamb, April 1711. Stuart Papers. It appears from a letter of Mr. Jackſon, reſident at Stockholm, to Mr. Boyle, 21ſt March 1708, that the French reſident had notified, to the court of Sweden, the intended invaſion of Scotland, with the view to obtain its aſſiſtance in placing the chevalier upon the throne of Britain. Mr. Jackſon's Letters, MSS.

Roman catholic ſecretary, and made other arrangements in his houſehold, in favour of his proteſtant adherents. He profeſſed the kindeſt intentions towards the members of the church of England, and his willingneſs to liſten, with candour, when he had an opportunity, to the arguments in vindication of the proteſtant faith. The Jacobites in England were induſtrious in propagating theſe facts, which preſaged the ſpeedy removal of every obſtacle to their hopes, and in giving ſuch favourable accounts of the demeanour and character of the young prince, as were likely to gain the affections of the people [11].

Theſe foreign events, connected with incidents at home, and the conduct of the miniſters, ſtrengthened the ſuſpicion of their having formed a plan, in concert with the French king and court of St. Germains, for ſubverting, by progreſſive ſteps, the Hanoverian ſucceſſion. Various treatiſes were publiſhed in England, tending to eſtabliſh the claim of the houſe of Stuart to the crown of Britain. One of them, which had been advertiſed in the gazette, and compoſed, it was believed, from materials furniſhed by the miniſters, aſſerted, in the boldeſt and moſt explicit terms, the nullity of parliamentary authority, touching the ſucceſſion; and the indefeaſible nature of hereditary right. The indignation of the Whigs and the clamour of the people had forced the crown lawyers to commence a proſecution againſt the author; but, from the dilatory ſteps with which it was purſued, and the interference of the queen in remitting a part of the ſentence pronounced by the court, it did not at all change the opinion of thoſe who before thought unfavourably of the miniſters [12].

[11] Martine's Letter to Robethon, 23d March 1714. Hanoverian Papers. The chevalier at that time entertained Mr. Leſley, a clergyman of the church of England, in his family, to officiate to his proteſtant ſervants. Tindal, vol. x. p. 182.

A letter from Mr. Leſley to a member of parliament was openly handed about. It contained the moſt favourable account of the chevalier's behaviour to the proteſtants, as an evidence of which he had made choice of a ſecretary of ſtate, and his chief miniſter belonging to the proteſtant congregation.

[12] Letter to Bothmar, 25th May 1714. Political State, vol. vii. p. 488.

From

From their firſt entrance into power, they had been accuſed of giving too much countenance to men of ill-reputation for political principles; but, after the confirmation of the peace, their indulgence to the friends of the court of St. Germains was openly exerciſed in violation of law, and to the manifeſt prejudice of the Hanoverian intereſt. Many, who had left the kingdom to avoid proſecution for treaſon, and ſome, who had been actually attainted, returned with impunity to England and Ireland. Sir Patrick Lawleſs, formerly in the ſervice of king James and ſuſpected of being employed as his ſon's agent in London, appeared at court, and it was confidently reported that he had been admitted to a private conference with the queen [13]. Emboldened by ſuch teſtimonies of miniſterial favour, the Jacobites threw off all diſguiſe, and took a more active part in political affairs than they had done at any period ſince the revolution. Their influence in every part of the country, during the election, was exerted in favour of the candidates, befriended by the miniſters; and the interference and anxiety which the Roman catholics diſcovered upon the ſame ſide, contrary to all the rules of prudence and decorum, were public evidences, how well they underſtood, that their own intereſt hinged entirely upon the eſtabliſhed ſuperiority of the Tories. But, what above all was alarming to the Whigs, and ſufficient to ſuperſede and cancel all legal ſecurities for the proteſtant ſucceſſion, was a ſcheme of new-modelling the army, in which the miniſters ſeemed to be advancing with rapid ſteps. Many whig officers were diſmiſſed, and their commiſſions given to thoſe who were ſuſpected of attachment to the houſe of Stuart [14].

Beſides the preſumptive evidence of danger, ariſing from the ſituation and diſpoſitions of foreign ſtates, and the meaſures and conduct of miniſters, the Hanoverian agents received the ſtrongeſt declarations and aſſurances from their friends in England, that the principal members of

[13] Detection of the Staff, p. 2. 14. Schutz's Letter to Robethon, 6th February 1714.

[14] Schutz's Letter to Robethon, 16th Jan. 1714. Political State, vol. vii. p. 263.

adminiſtration were entirely devoted to the intereſt of the rival heir; that they correſponded with him, and with the court of France; that they preſcribed plans to his agents for rendering his ſucceſſion more eaſy and certain; and that the queen herſelf had become anxiouſly deſirous to devolve the crown upon her brother[15].

Such is the ſubſtance of the evidence, upon which the fears of the Whigs for the proteſtant ſucceſſion were founded. Remote from the period of prejudice, and furniſhed with additional information, we are enabled to correct the miſrepreſentation of ſome facts; to ſupply what is wanting in others; to appropriate to every circumſtance its proper weight, and to approach nearer to a true concluſion concerning a point of chief importance in the hiſtory of this reign.

It will be readily admitted, that no conſiderable ſtreſs ought to be laid either upon the letters from England, containing aſſurances of attachment to the court of St. Germains, or upon verbal declarations to the ſame purpoſe. The exiled prince had many friends, who were diſpoſed to ſerve him from the pure influence of attachment; but, as his cauſe, upon a fair calculation of chances, could not be reckoned hopeleſs, we cannot doubt, but that intereſted men, of every deſcription, would anxiouſly wiſh that he might be impreſſed with favourable views of their inclinations towards him. Upon this baſis, is founded the intelligence, which the Stuart agents communicated to the court of St. Germains, concerning the diſpoſitions of many perſons of diſtinction in England.

The concluſion of the war was an event favourable to the chevalier, ſo far as it removed the difficulties of correſponding with his friends, and reſtored to the French king the opportunity of negotiating and intriguing for his intereſt, of which he had been deprived while at open enmity with Britain. But this cannot be admitted as fair ground for ſuſpecting the tory adminiſtration, becauſe it would

[15] Schutz's Letter to Robethon, 22d Sept. 1713; to Bothmar, 29th September; to the ſame, 18th; Marlborough's to Robethon, 30th November. Hanoverian Papers. 1713.

certainly have been a bad argument for continuing the war, to have aſſerted, that it contributed to the ſecurity of the proteſtant ſucceſſion. The queſtion, material to the point at iſſue, is this, whether any thing was done at the peace, by ſecret ſtipulation or by verbal agreement, between the treating powers, for promoting the intereſt of the chevalier.

When the firſt motion for peace was made in the French court, his cauſe does not appear to have met with the ſmalleſt attention or regard, notwithſtanding thoſe flattering promiſes of friendſhip to his ſon, with which Lewis had conſoled the abdicated king in his laſt hours. In conſequence of the anxious importunity of the queen mother, perhaps, from ſome impulſe of compaſſion, and certainly from political conſiderations, the French king was at length prevailed upon to charge Meſnager, when he was ſent the ſecond time into England, with inſtructions relative to the intereſt of the chevalier. Theſe, however, were ſo general and ſo guarded, that it was evident Lewis was but little intereſted in their ſucceſs; and that he was reſolved to make no ſcruple about ſacrificing the cauſe of his relation, if it ſhould be found to obſtruct the peace [16]. Meſnager, however, had this buſineſs at heart more than his maſter. In the courſe of his private conferences with an Engliſh nobleman, who was in the confidence of the court and miniſters, he watched every opportunity of learning from him their private ſentiments, relative to the ſucceſſion.

The preliminary article of the peace, recogniſing the queen's title, afforded him occaſion of coming directly to the point, and expreſſing his hopes of the queen's inclination to reſtore her brother. The perſon, whom he addreſſed, diſcovered emotions of ſurpriſe and

[16] Meſnager, p. 205. "It will be acceptable to me if you can render the young king any ſervice; and bring the new miniſtry and queen into his intereſt; and make way for his being placed on the throne after the queen; but remember, if the main affair of the treaty requires it, and the queen inſiſts upon it, you muſt give him up to his better fortunes, we muſt not be ruined on his account. *Entendez vous*, ſaid the king twice together." Meſnager, p. 211. See Report of the Secret Committee, p. 128.

alarm

alarm upon his introducing this topic; but ſoon made him underſtand that he was not diſpleaſed with it, and that the ſhyneſs and backwardneſs of the miniſters aroſe from their fears and jealouſies of one another, rather than from any want of eſteem and affection for the chevalier; and that the propoſitions to be publicly urged, relative to his caſe, were merely for the ſake of form, and to ſave appearances[17].

This diſcovery ſuggeſted, to the French agent, the expedient of propoſing a ſecret article, to be ſigned by the queen, diſengaging Lewis from any obligation concerning the ſucceſſion, which he might be required to agree to openly in the courſe of the treaty[18]. After ſeveral converſations to the ſame purpoſe, which were of ſo delicate a nature, that none of the miniſters had the reſolution to take a part in them, the French agent was introduced to a lady in high favour with the queen, in whoſe information and promiſes he was encouraged to place entire confidence. From her he learned what, from other concurrent circumſtances, we may believe to be a true account of the temper of the miniſters, and of the queen, namely, that whatever they thought or inclined, they were all ſtruck dumb with fear; that not one dared to mention to another, or to the queen herſelf, the ſubject of the ſucceſſion, except in expreſſions ſtrictly conformed to the law; that the queen was vexed and offended at their darkneſs and reſerve, becauſe ſhe entertained friendly ſentiments in behalf of her brother; but ſhe was not leſs afraid than her miniſters to give vent to them, and it would be a relief to her mind, if any expedient could be contrived, for mitigating and undoing the hard condition, reſpecting the exiled prince, to which ſhe herſelf and the French king were conſtrained to ſubmit; and that, after all, it muſt be left to him to deviſe ſuch an expedient, as her majeſty was ſo much frightened, that ſhe durſt not expreſs any concern about

[17] Meſnager, p. 246. [18] Idem, p. 250.

her

her brother, or even name him to any of her miniſters[19]. After various conſultations, to which none but the agent and lady were privy, they both agreed, that no ſpecific meaſure could be adopted with propriety and ſafety, in the preſent ſtage of the buſineſs; but that, while the treaty was depending, inſtructions ſhould be ſent to the Engliſh plenipotentiaries at Utrecht, and communicated at the ſame time to the French king, from which it might be underſtood, that, notwithſtanding his ſeeming deſertion of the chevalier's intereſt, by the articles of the treaty which were to be made public, yet he ſhould not be prevented from uſing his beſt endeavours, upon her majeſty's deceaſe, to place that prince upon the throne of his fathers[20]. Meſnager repaired to Utrecht, where he was to act as a plenipotentiary of France. The treaty advanced apace. The Engliſh miniſters peremptorily inſiſted upon the French king's coming under the moſt explicit and ſolemn obligations to maintain the proteſtant ſucceſſion. Meſnager hoped that they would relax in this point, being aſſured by his female correſpondent, that inſtructions ſhould ſtill be ſent to them for that purpoſe from the court of England, but they continued tenacious and inflexible in adhering to their firſt propoſitions[21]. The French king, determined to follow rather than to prompt the court of England upon this affair, was ſurpriſed more than concerned at the courſe in which it ran, and without any mental reſervation or ſubterfuge, authorized by the court of England, became bound to give no diſturbance to the act of ſettlement[22].

A coincident event, which contributed to diſappoint the ſchemes of Meſnager and his correſpondent, affords another ſtriking example of that fatality which ever purſued the houſe of Stuart. The dowager queen, mortified with the indifference of the French king

[19] Meſnager, p. 254, 5. 272. 282, & paſſim. It is probable that the earl of Jerſey was the nobleman with whom Meſnager carried on theſe ſecret conferences. Mrs. Maſham certainly was the lady to whom he alludes; as ſhe ſeems to have been all along moſt hearty in the intereſt of the chevalier. Berwick, vol. ii. p. 192.

[20] Meſnager, p. 276.

[21] Idem, p. 291.

[22] Idem, p. 309.

to

to her ſon at the beginning of the treaty, and relying but little upon the interceſſions of his agent with the Engliſh miniſter, ſet on foot another ſecret negotiation upon a larger ſcale [23]. The abbé Gualtier was intruſted with a commiſſion, not only to make attempts upon the court and miniſters, but to conſult with the friends of her ſon in general, for turning the enſuing peace to his advantage. The abbé was utterly deſtitute of every qualification for conducting an affair, ſo difficult from its intrinſic importance, and from the reſtraints impoſed upon thoſe who were to conduct it, as well as from the jealouſy, the acute penetration, and inceſſant vigilance of the perſons who were likely to thwart it. Intoxicated with the momentous nature of the buſineſs in which he was employed, he could not conceal it: overrating his own abilities, he vaunted of anticipated ſucceſs, and was debarred from that intercourſe which was neceſſary to its accompliſhment [24]. When he arrived in England, he communicated his inſtructions to the earl of Oxford, who, of all the miniſters, was certainly leaſt inclined to repeal the act of ſettlement, and, who, by amuſing the abbé and his conſtituents, became maſter of their ſecrets, and traverſed their plots. In the progreſs of theſe clandeſtine negotiations, the queen-mother afterwards aſſociated another agent, who was not behind the abbé in raſhneſs and imprudence, which at length gave ſuch general alarm, that the miniſters, in order to ſave their own reputation, were conſtrained to take every ſtep, which the utmoſt ſincerity and ardour could have dictated, for ſecuring the Hanoverian ſucceſſion [25].

From

[23] Meſnager, p. 207. 314. Cunningham, vol. ii. p. 411.

[24] Meſnager, p. 208. "He fancied," ſays Meſnager, "that if he had liberty of ſpeaking to her majeſty, ſhe would be unable to reſiſt the arguments by which he would prove to her, that ſhe could never enjoy the kingdom of heaven unleſs ſhe delivered the crown to him whoſe right it was."

[25] Mrs. Maſham's Letter to Meſnager. Meſnager, p. 301. 310. 314. I have not been able to diſcover who this ſecond agent was; Meſnager ſays that he was a Scotſman, who pretended to have great intereſt with a Scottiſh lord, an officer of ſtate in England. The duke of Hamilton is moſt probably meant by the laſt deſcription. The ſum of his negotiations was this: "He ſpent a great deal of "money and ruined the buſineſs. A Scotſ- "man from St. Germains and a Scotſman in your

From the detail of all the circumſtances relative to theſe negotiations, it appears, that the zeal of the agents far ſurpaſſed that of their employers. The French plenipotentiary, and the lady, ſeem to have gone beyond the limits of their commiſſion; and, from the partiality, in which they coincided, for the intereſt of the young prince, were grievouſly diſappointed in finding their united projects for ſerving him counteracted by the daſtardly policy of the reſpective courts, which were to carry them into execution. The behaviour of the French king is perfectly in character. He did not wiſh to ſerve his unfortunate gueſt at the ſmalleſt riſk to himſelf, and as little to be tied down from doing it, when an opportunity ſhould offer of making his interference ſubſervient to his own intereſt. Nor did the conduct of the queen deviate from what might have been expected in her peculiar ſituation. Divided between fear and affection, ſhe did not wiſh to take any ſtep either for her brother or againſt him. The proſcription of his title, which was ſuggeſted by his miniſters at the outſet of the treaty, hurt her tenderneſs and delicacy. She certainly wiſhed to avert it, but ſhe had not fortitude either to propoſe, or to adopt any poſitive or direct meaſure for raiſing him to the throne; and, in any thing that pointed at this, ſhe was puſhed forward by her female confident. For, it muſt be obſerved, that, as all the accounts relative to the behaviour of the queen are given upon the authority of this lady, her own partial affection would naturally lead her to ſtate them in the ſtrongeſt light, in favour of its object [26].

Upon the whole, there appears no evidence for imputing, to the treaty, either public or ſecret, or to the miniſters, ſo far as can be collected from their conduct in every ſtage of it, any conſpiracy

" your court have deceived one another, and " abuſed their maſters. As to inquiring " with whom the ſecret has remained, they " confeſs, at St. Germains, that it has re- " mained with nobody; ſo ill a choice did " they make of their agent, that he has not " only expoſed his errand, but his employer." Meſnager's Letter to Mrs. Maſham, p. 314—16.

[26] Meſnager, p. 323.

againſt the act of ſettlement, or any deſign for reſtoring the exiled prince. Whatever party had been in the ſeat of power, or whatever their inclinations, with reſpect to the competitors for the crown, had been, it was naturally to be expected, upon the opening of a treaty for peace, that overtures would be obtruded from the quarter of St. Germains; that, for preſerving the ſhow of conſiſtency and honour, they would at leaſt be connived at by Lewis; and that they would meet with a cordial reception from ſome individuals, of power and conſequence in England, who were attached to the houſe of Stuart. As the event ſhewed, that the French king was not ſincere in the promiſes he made to the queen-mother, ſo he had now many ſtrong inducements for adhering to his public engagements. His dominions were depopulated, and his treaſures exhauſted by a long and unſucceſsful war: the diſappointment of all his aſpiring projects, and the rapid accumulation of family calamities, together with the infirmities of age, broke his ſpirit, and yielded a firmer bond for his performing his obligations, and ſpending the reverſion of his days in peace, than could have been expected from his probity and honour.

If there was nothing in the treaty itſelf, or in the conduct of miniſters, during its dependence, that could ſuſtain the charge of their having any intention of ſubverting the proteſtant ſettlement, was it fair to augur danger from their peculiar principles? They were Tories, and therefore ſuſpected of a partiality to the lineal heir.

No perſon, well read in political hiſtory, needs to be informed, that parties are in a conſtant fluctuation; and that, during the ſtate of conflict and agitation, individuals often change their ſide from motives of caprice, paſſion, and intereſt, inſomuch, that unleſs we take their own word for it, we ſhould be utterly at a loſs to aſcertain their true character and deſignation. Some of the principal leaders in oppoſition, towards the end of this reign, calling themſelves Whigs, ſtarted, in their political career, under the banners of the Tories; and ſome of the miniſters, if there was any merit annexed

to it, had, both from the prejudices of education and their former conduct, the beſt pretenſions to the name of Whigs [27].

But the miniſters, whatever they had been, or were, in their hearts, from the courſe of events, now found themſelves at the head of the Tories; and, having failed in all their endeavours to compound with the Whigs, depended entirely upon the ſupport of the former. Taking the charge upon this foot, how does the evidence ſtand? Had not the Tories invariably profeſſed their attachment to the proteſtant ſucceſſion; had they not, when in power, vindicated their ſincerity by their deeds, and contributed, by the meaſures which they purſued, to its ſecurity? Did not their prejudices intereſt them upon the ſame ſide? and did not the zeal of many of them, for the church of England, make them revolt with horror from the idea of a popiſh ſucceſſor? There remains therefore no authentic argument for deducing danger, merely, from the political principles of the aſcendant party [28].

But though no proof of guilt reſults from the examination, either of the perſonal attachments or political principles of the miniſters, yet does not their coalition with the avowed friends of the houſe of Stuart wear a ſuſpicious aſpect? Were not many of the Jacobites, particularly in Scotland, ſucceſsful candidates, at the general election, under the auſpices of miniſters? Were not ſome of them promoted to offices of truſt; and did they not, on every occaſion, ſtand forward in ſupport of their patrons? That all this ſhould be true, will not appear ſurpriſing, nor any ground of criminal imputation againſt the miniſters, when we advert to the critical ſituation in which they found themſelves ſoon after their acceſſion to power. The Whigs, upon their diſmiſſion, formed an union ſo well concerted and ſo firm, that it was impoſſible to deſtroy it. The buſineſs of the peace, which had been the principal motive with the queen for raiſing the

[27] The duke of Marlborough and the earl of Godolphin were Tories; and Oxford a Whig.

[28] See Earl of Strafford's Letter to the Princeſs Sophia, 23d February 1714. Hanoverian Papers.

Tories to ſuperiority, was of the moſt arduous nature; and, however well managed, was likely to furniſh many handles for cenſorial inveſtigation. Aware of this, the miniſters thought it fair to avail themſelves of every aſſiſtance tendered to them, perhaps were not even honeſtly ſcrupulous about the means they uſed for obtaining it; and, if they did not flatter, neither did they undeceive, the expectations of the Jacobites, nor refute the interpretation which they fondly put upon the confidence repoſed in them. The defenders of the conduct of the earl of Oxford aſſert, that this temporary, external communication and intercourſe with ſuſpected perſons, was one of the wiſeſt meaſures of his adminiſtration. It ſuſpended their ſecret plans and conſpiracies; it made him acquainted with their ſtrength and their views, and enabled him, while the Jacobites were ſupine and inactive, to take effectual meaſures for undermining their influence and fortifying the eſtabliſhed government [29].

The plan of new-modelling the army, and the movements of the French troops, may be obviouſly accounted for, without ſuppoſing them to have any reference to a deſign of bringing in the pretender. There is undoubted evidence of a conſpiracy having been in embryo among the Whigs, for rendering the proteſtant ſucceſſion effectual, by other means than the ſecurities of law; and, though it was not digeſted or generally approved of, yet it pointed at ſomething violent. It was ſeriouſly alarming to the queen and to the miniſters. Of an aſſociation having been ſet on foot for defending the Hanoverian ſucceſſion, there exiſts not the ſmalleſt doubt. Theſe tranſactions rendered the changes of the army a fair meaſure of ſelf-defence, and ſuggeſted the neceſſity of removing, from ſtations of high command, military men who were devoted to the Whigs, and the ſuſpected

[29] Conduct of Oxford, paſſim. His Letter to the Queen. "The great political "error of this adminiſtration, was their giv- "ing encouragement to a party whoſe in- "tereſt they never meant to ſerve, whoſe "aſſiſtance did them very little good, and by "receiving which, they fortified the ſuggeſ- "tions of their opponents, and did more to- "wards their deſtruction than all the ſkill and "addreſs of their enemies." Life of Bolingbroke, p. 265.

authors

authors of the ſchemes which gave alarm [30]. Nor would it have been extraordinary, if, under the impreſſion of terror, which might exaggerate the idea of their perſonal danger, juſt as much as the jealouſy of the Whigs exaggerated their fears for the proteſtant ſucceſſion, the miniſters ſhould look forward to the French king for their refuge, and give him diſtant hints of putting his forces in ſuch a poſture, as might yield them ſpeedy ſuccour in caſe of their being reduced to emergency by any premature attempt upon the crown. But as no ſatisfactory evidence of this appears, we are not warranted to aſcribe the arrangements of the French army to any previous concert with the court of England. The domeſtic tranquillity of France, and its perfect ſecurity on the ſide of Spain, rendered it no longer neceſſary to retain a larger proportion of troops in the interior provinces, or on the ſouthern frontier of the kingdom. The divided ſentiments of the people, and the violence of faction in England, made it extremely probable, that a diſputed ſucceſſion, upon the demiſe of the queen, would attract the interference of the continental powers, independent of any previous concert with the miniſters and court of England. Fair policy might ſuggeſt, to the French king, the augmentation and reinforcement of his garriſons on the frontiers, neareſt to the ſcene of action. Nor did he perhaps relinquiſh the idea of giving the chevalier aſſiſtance, if an opportunity ſhould occur of his doing it with effect, and with advantage to himſelf.

Admitting the full weight of theſe arguments, it is at the ſame time certain, that the court of Hanover was impreſſed with a

[30] The duke of Argyle, who was diſmiſſed from his regiment, had ſupported the tory miniſters when they firſt came into power. He hated the duke of Marlborough, and perhaps expected to be advanced to the head of the army. He certainly did not obtain the promotion which he expected, and came over again to the Whigs, who were for ſome time ſuſpicious of him. See Schutz's Letters to Robethon, September and October 1713. Of all the party with whom he now joined, he ſeems to have been the moſt bent upon violent meaſures, and even threatened to abandon the cauſe of the elector if he did not comply with the requeſt of his friends in coming to England. Letter from a Friend in England to Bothmar, 25th May 1714. Hanoverian Papers.

thorough

thorough conviction, that their intereſt was in the utmoſt jeopardy, from the diſpoſitions of the court and miniſtry, at the cloſe of the queen's reign.

Every information, relative to the political affairs of England, was conveyed to the court of Hanover, through the medium of a party, under the ſtrongeſt inducements, both from reſentment and intereſt, to give the darkeſt colour to the tranſactions and conduct of the miniſters. From the prejudice which the elector had contracted againſt them, on account of the peace, to which he was averſe, his agents were directed to confide only in the Whigs, and to proceed in every meaſure by their advice. It was not to be expected, that the Whigs, while the reſentment of the Tories was ſtill in action againſt them, would make uſe of the advantage which they derived from the elector's partiality with moderation and candour. They accuſed their antagoniſts, indiſcriminately, of diſaffection to the proteſtant ſettlement; they gave them the odious appellation of *the French faction:* they tranſmitted, to the court of Hanover, direct charges againſt the principal perſons in adminiſtration; Oxford, Bolingbroke, Harcourt, are all repreſented as deeply engaged in the intereſt of the pretender[31] The Whigs thought that they had now an opportunity of laying the foundation of a permanent ſuperiority, by infuſing into the breaſt of the elector ſuch unfavourable ſuſpicions of the Tories, as would fix his reſolution of caſting them out from all truſt when he came to ſway the ſceptre. Every accuſation againſt the Tories in general, or againſt individuals, who were members of adminiſtration, ought to be received with diſtruſt, unleſs it is ſuſtained by purer evidence than the bare affirmation of the perſons, who had ſuch an intereſt in miſrepreſenting the conduct of their antagoniſts.

It is a curious fact, that, though the earl of Oxford was undoubtedly attached to the proteſtant ſettlement, yet he is the only one of the miniſters, who is charged, on plauſible evidence, with the

[31] Schutz's Letters, paſſim. Hanoverian Papers, 1714.

deſign

deſign of overturning it, and of bringing in the pretender. The abbé Gualtier, as early as the arrangements of the new miniſtry were ſettled, brought a meſſage from Mr. Harley to the duke of Berwick, expreſſing his deſire to concert meaſures for reſtoring the chevalier, and ſpecifying the conditions upon which he was willing to co-operate in this delicate buſineſs [32]. In an extract from Carte's Memorandum Book, we have a traditional anecdote of the abbé having received a paper, written by the treaſurer, deſcribing the conduct which the king, ſo he is called, ought to obſerve in order to enſure ſucceſs [33]. How then can this nobleman be exculpated from a charge ſo ſpeciouſly ſupported, or his conduct be reconciled to the profeſſions he made to the houſe of Hanover, and to the meaſures which he purſued, both when he was in oppoſition, and in place, for eſtabliſhing the proteſtant ſucceſſion? 1711.

Artifice or cunning was the characteriſtical feature of Oxford's adminiſtration. He was but little ſcrupulous about practiſing diſſimulation when he found it ſubſervient to his miniſterial plans, and to the maintaining the aſcendancy which he had obtained in the cabinet. He had two objects in view by deceiving the court of St. Germains. 1ſt, He obtained the confidence and vigorous ſupport of all their friends in England [34]. 2dly, He intercepted their intelligence, and retarded and traverſed all their ſchemes, which, if he had kept aloof, might have been intruſted to ſome of his colleagues better diſpoſed to conduct them to a ſucceſsful iſſue. He always found ſome pretext for delay when urged to make good his engagements; which convinced the duke of Berwick and Meſnager, that

[32] Berwick, vol. ii. p. 182. The conditions ſpecified by Oxford, were, 1ſt, That no perſon at St. Germains ſhould be privy to the matter. 2d, That the queen ſhould enjoy the crown during her life. 3d, That ſecurity ſhould be given for the preſervation of the church of England, and the liberties of the kingdom. Berwick, vol. ii. p. 182.

[33] Stuart Papers, May 1714.

[34] "In order to ſhew that we would omit "nothing, and to give proofs of our ſincerity, "we wrote to all the Jacobites to join with "the court. This contributed to make the "queen's party ſo ſuperior in the houſe of "commons, that every thing was carried ac-"cording to her wiſhes." Berwick, vol. ii. p. 183.

he

he never had entered ſincerely into their views, and had cajoled them with the purpoſe of betraying them [35].

I do not mean, from theſe obſervations, to aſſert, that all the Tories, or that all the members of adminiſtration, were free from a predilection for the hereditary line of ſucceſſion, or that ſome of them did not even ardently wiſh for its reſtoration; but what I have endeavoured to eſtabliſh, is this, that there was no plan concerted or agreed to by the tory miniſters, collectively, in the laſt years of the queen, for defeating the proteſtant ſettlement; that there is no evidence in ſupport of any charge, to the ſame effect, againſt individuals who were in truſt under government; that, with reſpect to the caſe of the premier, though ſpecious at firſt view, it fails upon thorough inveſtigation; and that he ſtands acquitted by the explicit teſtimony of witneſſes, whoſe authority is deciſive in the point at iſſue [36].

It happened fortunately for the houſe of Hanover, that, from the very day the Whigs were diſmiſſed, jealouſy, diſtruſt, and envy haunted the cabinet. Like a band of ſpies, the miniſters watched and dreaded each other. This internal diſcord was the ſafeguard and palladium of the proteſtant ſettlement. Fortified by the ſanctions of law, not one of them, whatever he thought or inclined, durſt whiſper a wiſh or drop a hint againſt it, becauſe it would have furniſhed his internal enemy with the certain means of his deſtruction [37]. But ſuppoſe the miniſters had been united among themſelves, there ſtill remained inſurmountable obſtructions to every attempt for reverſing the act of ſettlement, ariſing from the intereſt of perſons of rank and fortune; the general inclinations of the people; and the peculiar temper of the queen herſelf.

[35] Compare Berwick's Memoirs, vol. ii. p. 184. with Lady Maſham's Letter to Meſnager, 2d March 1712.

[36] The duke of Berwick was at length convinced that Oxford never had any other intention than to amuſe and deceive them. Berwick, vol. ii. p. 184. Whiteſtaff, p. 2. 14.

[37] The earl of Oxford and lord Bolingbroke reciprocally accuſe one another to the Hanoverian agents. Hanoverian Papers, paſſim, particularly Letter from Galke to Robethon, 4th May 1714.

The

The landed intereſt muſt always loſe ſomething, and riſk all, by every political convulſion; and though there might be many of that deſcription whoſe prejudices were for the pretender, few of them deſired his ſucceſs at the expence of a civil war, without which there was hardly a poſſibility of its ever being accompliſhed [38]. The good wiſhes of his moſt diſintereſted friends were aſſociated with the hope of his renouncing the Roman catholic religion; and his inflexibility, in that point, alienated their affections, and prevented their endeavours to ſerve him [39]. The monied intereſt had now become extenſive and powerful, and, as its ſecurity was interwoven with the proteſtant ſucceſſion, ſo it was capable of yielding the moſt prompt and vigorous exertion for defending it. The ſuffrages of the people of England, if they could have been collected, would certainly have preponderated in favour of the nroteſtant competitor. For the truth of this aſſertion, I require no better evidence than the language and engagements of the tory candidates during the dependence of the elections for the laſt parliament. The declarations of candidates, at that criſis, are not ſo much to be conſidered as a criterion of their own genuine ſentiments, as of thoſe of their electors. And what were the declarations of the candidates? In porportion to the ſuſpicions that attached to their party, or principles, they were aſſiduous in diſclaiming every intention hoſtile to the proteſtant ſettlement, and in coming under the moſt ſolemn engagements to ſupport it [40].

Nor was the timidity of the queen, leſs than any of the circumſtances now mentioned, an obſtruction and diſcouragement to every

[38] Strafford's Letter to the Princeſs Sophia, 23d Feb. 1714. Hanoverian Papers.

[39] James's Letter, 13th March 1714. Stuart Papers.

[40] Letters from L'Hermitage, April 1713. Hanoverian Papers, paſſim. In England this was univerſally the caſe. In Scotland, Jacobitiſm, in a few inſtances, was a recommendation to the favour of the electors; but the repreſentation there being upon a narrow baſis, cannot be conſidered as a fair teſt of the ſentiments of the people. The preſbyterians, who were the greater number, were ſtrongly attached to the proteſtant ſucceſſion. In Ireland, notwithſtanding the parliament's being diſſolved on account of its oppoſition to the tory miniſters, and every exertion being made for them at the general election, a majority of Whigs was returned.

plan for altering the law of ſucceſſion. While the reverſion of the crown was in proſpect, her ambition, overrating its value, counteracted the dictates of natural affection, and made her acquieſce in all the meaſures leading to her aggrandizement. But when ſhe had obtained her object, and experienced its emptineſs and vanity, the force of ambition declined apace; that of natural affection revived and became aſcendant. There were peculiar circumſtances in the lot of this princeſs, which clouded the luſtre and damped the enjoyment of royalty; and ſilently operated as motives for wiſhing to reſtore it, after her death, to the perſon whom ſhe had ſuperſeded and degraded. The loſs of all her children bore the aſpect of an angry Providence, adjuſting puniſhment to the nature and quality of her offence. Wounded in ſpirit, and prone to ſuperſtition, ſhe naturally thought of the reſtitution of the crown to her brother as the only atonement ſhe could make to the memory of her injured father [41]; and, as this purpoſe was no longer thwarted by ambition, it might probably have ripened into action, had it not been controlled by another paſſion, which ever predominated in the temper of this princeſs. The difficulties and dangers, attending every endeavour for altering the ſucceſſion, the moſt cool and intrepid mind could not overlook, or deſpiſe. The queen ſaw them in the moſt terrific form, and recoiled with horror from the ſight. The ſending the pretender to London was propoſed as the moſt effectual meaſure for ſecuring his right; but ſhe trembled at the idea of the preſence of a ſucceſſor, whoever he might be; and the reſidence of her own brother in England was not leſs dreadful to her than that of the electoral prince [42]. The only conceſſion, which ſhe ever made to affection and remorſe, was conſenting to her brother's reſiding in Lorrain, and afterwards employing only feeble and inſincere endeavours for removing him, though repeatedly urged to it by the

[41] "The queen attributes the loſs of her children to the dethroning of her father; having been very ſenſiby touched with an affecting letter which he wrote to her before his death, in which he recommended his family to her." Schutz's Letter to Bothmar, 29th Sept. 1713.

[42] Berwick, vol. ii. p. 187. Schutz's Letters to Robethon, 1714. Hanoverian Papers.

parliament.

parliament [43]. Nothing but the moſt determined purpoſe, and the moſt ſteady courage in the ſovereign, could have induced any of her miniſters to attempt ſo arduous an enterpriſe as the change of the ſucceſſion; and as the reverſe was her temper, it affords the ſtrongeſt preſumption for concluding that it never was made. The laſt months of her life produced events, which might perhaps have leſſened the difficulties which the friends of the pretender encountered from the temper of the ſovereign. She was teazed, irritated, almoſt driven to deſpair, by the rudeneſs and obſtinacy of the Whigs, who perſiſted in their deſire of bringing the electoral prince to England [44]. The diſpute was ſtill in agitation when ſhe was removed from all her troubles by the hand of Providence.

What the conſequence might have been, if the queen had ſurvived, is merely a matter of conjecture; but we may pronounce, with ſome degree of aſſurance, that the proteſtant intereſt would have been expoſed to more certain and to more imminent dangers, than ever had threatened it before at any period ſince the revolution. The preſence of the electoral prince, which he could no longer decline, but at the riſk of exhauſting the patience and loſing the affections of his beſt friends, inſtead of a liſtleſſneſs and indifference to his intereſt, which was the utmoſt that could have been expected from the queen, might have rouſed hatred and reſentment againſt him. In the conflict and diſtraction of paſſions, one fear might have prevailed againſt another. She ſhrunk from the danger of altering the ſucceſſion; but conſequences not leſs diſtreſsful reſulted from the preſence of the ſucceſſor. Had that happened, her remaining days muſt have been conſigned to mortification and inſult; and perhaps her life expoſed to danger from violent meaſures, to haſten the acceſſion of the heir who had the ſuffrages of the people. Under theſe impreſſions, the inviting her brother to England, and

[43] The propoſal of the pretender's reſiding in Lorrain came from Meſnager. Meſn. p. 280.

[44] Schutz's Letter to Bothmar, 22d Sept.; to Robethon, 18th Nov. 1713. Hanoverian Papers.

the making a declaration in his favour, might have appeared the ſafeſt alternative ſhe could embrace. The competitor, who was firſt upon the ſpot, would certainly have poſſeſſed great advantage in the ſtruggle. The removal of the earl of Oxford, if it did not originate from a view to this meaſure, would certainly have facilitated the accompliſhment of it[45]. The death of the queen happened ſo ſoon after his diſmiſſion, that there was not time for ſettling the new arrangements of the cabinet, far leſs for taking any ſteps in a deſign ſo bold and hazardous as that of altering the ſucceſſion; and the exiſting miniſters did every thing, which the elector's beſt friends could have wiſhed, for removing the ſmalleſt obſtruction to his aſcending the throne[46].

[45] The duke of Berwick imputes the removal of the earl of Oxford to the influence of lady Maſham, who did all ſhe could to pave the way for the ſucceſſion of the chevalier. Berwick, vol. ii. p. 192.

Some of the remaining miniſters were ſuſpected of being in the plot with that lady; they were certainly exaſperated by the Whigs repreſenting them to the court of Hanover as enemies to the proteſtant ſucceſſion.

[46] Life of Atterbury, p. 73. Anecdotes of Lord Oxford. Carte's Memorandum Book, 1714. Stuart Papers.

APPENDIX.

N° I.

ABRIDGMENT of the ARTICLES of the UNION*; with Obſervations.

I. THE two kingdoms of England and Scotland ſhall, from the 1ſt of May 1707, be united into one kingdom, by the name of Great Britain.

* The commiſſioners appointed by her majeſty for the treaty of union were, on the part of England, the archbiſhop of Canterbury, William Cowper, keeper of the great ſeal, the archbiſhop of York, the earl of Godolphin, high treaſurer, the earl of Pembroke and Montgomery, preſident of the council, the duke of Newcaſtle, keeper of the privy ſeal, the duke of Devonſhire, ſteward of the houſehold, the duke of Somerſet, maſter of the horſe, the duke of Bolton, the earl of Sunderland, the earl of Kingſton, the earl of Carliſle, the earl of Orford, Viſcount Townſhend, lord Wharton, lord Grey, lord Powlet, lord Somers, lord Halifax, John Smith, the marquis of Hartington, the marquis of Granby, ſir Charles Hedges and Robert Harley, principal ſecretaries of ſtate, Henry Boyle, chancellor of the exchequer, ſir John Holt, chief juſtice of the queen's bench, ſir Thomas Trevor, chief juſtice of the court of common pleas, ſir Edward Northey, attorney general, ſir Simon Harcourt, ſolicitor general, ſir John Cooke, advocate general, and Stephen Waller, doctor of laws.

On the part of Scotland, the earl of Seafield, lord chancellor, the duke of Queenſberry, lord privy ſeal, the earl of Marr and the earl of Loudoun, ſecretaries of ſtate, the earl of Sutherland, the earl of Morton, the earl of Wemyſs, the earl of Leven, the earl of Stair, the earl of Roſeberry, the earl of Glaſgow, treaſurer depute, lord Archibald Campbell, lord viſcount Duplin, lord Roſs, one of the commiſſioners of the treaſury, ſir Hugh Dalrymple, preſident of ſeſſion, Adam Cockburn of Ormiſton, lord juſtice clerk, ſir Robert Dundas of Arniſton, and Mr. Robert Steuart of Tillicoultrie, lords of ſeſſion, Mr. Montgomery, one of the commiſſioners of the treaſury, ſir David Dalrymple, ſolicitor, ſir Alexander Ogilvie, receiver general, ſir Patrick Johnſtone, provoſt of Edinburgh, ſir James Smollet of Bonehill, George Lockhart of Carnwath, William Moriſon of Preſton Grange, Alexander Grant junior, William Seton of Pitmedden junior, John Clerk junior, of Pennycuick, Hugh Montgomery, late provoſt of Glaſgow, Daniel Stewart, and Daniel Campbell of Ardentennie. The Engliſh commiſſioners named G. Doddington, and the Scotch ſir D. Nairne, to be their ſecretaries.

II. The

II. The ſucceſſion of the monarchy to be to the princeſs Sophia and her heirs; and that all papiſts, or perſons that marry papiſts, ſhall be for ever excluded from inheriting the crown.

III. The united kingdom ſhall be repreſented by one parliament.

This article met with great oppoſition in the parliament of Scotland. The objections to it were founded upon the incapacity of the repreſentative body to alter the conſtitution, or ſurrender the ſovereignty of the kingdom; and upon the diſproportion of the Scottiſh members to thoſe of England, in the united legiſlature, which would deprive Scotland of the means of redreſs, in caſe of her ſuffering oppreſſion from the ſuperior weight of a repreſentation, attached to intereſts contrary to her own.

It was anſwered, that the general deſire of Scotland, for an incorporating union, had been expreſſed at the revolution; the queen had recommended it to both parliaments at her acceſſion; the electors were appriſed that this important buſineſs was to come under the conſideration of their repreſentatives; and the legiſlature of Scotland had formerly made conſtitutional alterations, not leſs important than thoſe which were involved in this article [2].

IV. The ſubjects of the united kingdom ſhall have freedom of trade and navigation to all places within the ſame, and plantations belonging to it, and a communication of all other advantages.

V. All ſhips, belonging to her majeſty's ſubjects of Scotland, at the time of ratifying the treaty of union of the two kingdoms in the parliament of Scotland, though foreign-built, ſhall be deemed as ſhips of the built of Great Britain; the owners making oath within twelve months after the 1ſt of May next, that, at the time of ratifying the treaty in the parliament of Scotland, the ſame did, in whole, or in part, belong to them, or to Scotſmen, and, at the time of taking the oath, do wholly belong to them, &c.

This article was framed in conformity to the act of navigation, as far as the circumſtances of the Scottiſh traders would admit. For want of materials to build ſhips at home, the greateſt part of the trade of Scotland had been carried on in foreign bottoms, and in partnerſhip with foreign

[2] The repreſentation of the clergy had been aboliſhed, reſtored, and again aboliſhed by Parliament. Mr. Seton's Speech, 18th Nov. 1706.

merchants.

merchants. It was therefore agreed, that theſe ſhips ſhould be deemed of Britiſh built, provided the other clauſe of the act was complied with. But as a ſudden diſſolution of their commercial partnerſhips muſt have expoſed the Scottiſh merchants to great embarraſſment and loſs, a competent time, namely, a whole year after the ratification of the union, was allowed for adjuſting this buſineſs, and qualifying them, in terms of the navigation act, to ſhare in the benefits of the Engliſh trade.

VI. All parts of the united kingdom to be under the ſame regulations of trade, and liable to the ſame cuſtoms and duties: excepting duties, from which the ſubjects of either kingdom are exempted by their private rights. No cattle, carried from Scotland into England, ſhall be liable to any other duties than thoſe to which the cattle of England are liable. That oats, oatmeal, and beer, exported from Scotland, ſhall be entitled to the ſame premium as other kinds of grain exported from England.

The clauſe in this article, relative to exceptions, was added by the parliament of Scotland; and had reſpect to certain immunities which had been granted to ſome of the royal burghs, either for the purpoſe of encouraging infant manufactures, or for enabling them to provide or maintain works of public utility. Aware, however, that the ſame exceptions, if extended to the neighbouring kingdom, would reſtrain a very profitable branch of their trade, the Scottiſh commiſſioners inſiſted that cattle ſhould not be liable to the payment of duties when paſſing into England. The city of Carliſle and ſir Philip Muſgrave enjoyed an ancient right of exacting contributions for all the cattle, which paſſed the tolls or bridges of which they had the lordſhip. The parliament of England purchaſed theſe rights; and thereby prevented an oppoſition to this article, founded upon an argument of ſufficient validity, either to overturn the preceding clauſe, or, if it ſtood, to extend it to the prejudice of Scotland.

The premium upon the exportation of oats and beer, which were the ſtaple grains in Scotland, was added by the Scottiſh parliament, to afford Scotland the ſame benefit with England in the exportation of corn [3].

[3] While this article was under diſcuſſion, a clauſe was propoſed for permiſſion to export wool from Scotland, which, though profitable to proprietors of ſtock, or ſheep-farms, had been hitherto a great diſcouragement to domeſtic induſtry; and ſo injurious to the ſtaple of England, that the proſpect of putting an end to it had a more powerful effect, than any political conſiderations, in reconciling the manufacturing intereſt to the union.

VII. The

VII. The united kingdom to be liable to the ſame exciſe, except that a barrel of ale in Scotland ſhall not pay above two ſhillings, on account of the preſent exciſe in England.

VIII. Foreign ſalt in Scotland ſhall pay the ſame duty as in England; but ſalt made in Scotland ſhall be exempted for ſeven years from the Engliſh duty: ſeveral conditions, relating to the ſalt duty, were inſerted in this article.

IX. When one million, nine hundred and ninety-ſeven thouſand, ſeven hundred and ſixty-three pounds, eight ſhillings and four-pence halfpenny, ſhall be enacted to be raiſed in England upon land; Scotland ſhall be charged, by the ſame act, with the ſum of forty-eight thouſand pounds.

In adjuſting the proportion of land-tax to be paid ſeverally by the two kingdoms, the Engliſh commiſſioners proceeded upon the moſt fair and liberal principles. Every circumſtance, that made a real difference in the proportion of payment, was patiently inveſtigated, and allowed its due weight. The rent in Scotland, being generally paid in grain, the efficient receipt of it, or the converſion of it into money, was poſtponed to a more diſtant term than in England; and the landlord incurred a double riſk, from the inſolvency of the tenant, and of the purchaſer of his victual-rent. The nature, and ſyſtem, of the land-tax in Scotland furniſhed the proprietors with a ſtrong claim for being rated at a lower aſſeſſment than proprietors in England. The land-tax in Scotland was collected, and brought into the treaſury, free of all loſs or defalcation, whereas, the expence of collecting it in England, being charged upon the government, occaſioned a deduction, approaching to a twentieth part of the whole ſum; ſo that a nominal equality of tax in Scotland would have been actually more productive to the government, and would have taken more out of the pockets of the landlords. It was however extremely difficult to ſtrike the balance, or to aſcertain the preciſe deduction, to be inferred from circumſtances, ſome of which were complicated and variable, and others, a ſubject, not of numerical but diſcretionary calculation. It was therefore propoſed to have recourſe to example, or fact, in order to eſtabliſh the true ſtandard of proportion, and the ſhares or quotas of tax to be paid by the landholders of the reſpective kingdoms. The higheſt ſum of land-

tax that ever had been paid by Scotland, was to be taken, and ſet over againſt the higheſt ſum of the ſaid deſcription, that ever had been exacted in England; and every abatement or alleviation of the tax was to be adjuſted, in both kingdoms, by this regulation. The higheſt aſſeſſment ever impoſed upon the land in Scotland, under lawful government, namely in the reign of Charles II. and James II. amounted to eight months' ceſs, which produced forty-eight thouſand; and the higheſt in England was four ſhillings in the pound, and amounted to the ſum of one million nine hundred and ninety-ſeven ſeven hundred and ſixty-three pounds, eight ſhillings, and four-pence halfpenny. It was therefore enacted as above, &c [4].

X. Scotland is exempted from the ſtamp duties now in force in England.

XI. Scotland is exempted from the duties payable in England on windows, which determines on the 1ſt of Auguſt 1710.

XII. Scotland is exempted from the duties payable in England on coals, culm, and cinders, which determines the 30th September.

XIII. Scotland ſhall not pay the malt duty, which expires 24th June 1707.

XIV. Scotland ſhall not be charged with any other duties, impoſed by the parliament of England before the union, except thoſe conſented to in this treaty; and if the parliament, in their proviſion for the ſervice of the year 1707, ſhall lay any farther cuſtoms, Scotland ſhall have an equivalent for the ſhare to which it is liable: malt, made and conſumed in Scotland, ſhall not be charged during this war.

XV. Scotland ſhall have an equivalent for what ſhe ſhall be charged towards payment of the debts of England, namely, the ſum of

[4] Under the uſurpation of Cromwell, Scotland had been not only exorbitantly, but, in proportion to England, unjuſtly charged. Six thouſand pounds per month was exacted from Scotland, and no more than thirty-five thouſand from England. Had the ſame arbitrary difference been now inſiſted upon, Scotland muſt have been charged with three hundred and thirty-three thouſand, three hundred and thirty-three pounds, ſix ſhillings, and eight pence, when two millions were raiſed by the land-tax in England.

three hundred and ninety-eight thouſand and eighty-five pounds, ten ſhillings, for the cuſtom and exciſe to which ſhe will be liable for the ſaid debts. An equivalent ſhall be farther allowed for the proportion which Scotland ſhall hereafter pay on account of the increaſe of the cuſtoms, ariſing from the increaſe of her trade, which will be the happy effect of the union; and alſo for the ſalt duty, which ſhe ſhall be obliged to pay after ſeven years. The ſaid three hundred and ninety-eight thouſand, and eighty-five pounds, to be applied to pay the public debts of Scotland; to refund to the African company their principal ſtock, and the intereſt of it; to indemnify ſuch as may be loſers by the alteration of the coin; and to ſuch other uſes, as commiſſioners, appointed by her majeſty, ſhall think fit: the African company to be diſſolved, as ſoon as the act paſſes in England for paying the equivalent.

This article may be conſidered as the moſt important in the liſt, and certainly had more influence than all the reſt, in reconciling the leading men of every party in Scotland, to an incorporating union.

As, by article fourth, Scotland was to be admitted to a participation of the trade of England, it was equal and juſt that ſhe ſhould alſo bear a ſhare of the burdens to which England was ſubjected. If the revenue, ariſing from the taxes, had been deſtined ſolely to the future expences of government, and the common uſes of both countries, Scotland ought to have been ſubjected to them without any qualification or reſerve. But, as a certain proportion of the produce of the Engliſh taxes was aſſigned to the diſcharge of her own debts, which ſhe had incurred previous to her uniting with Scotland, it would not have been juſt to have exacted contributions from the latter kingdom for the payment of theſe debts. It was therefore ſtipulated, that before the union, England ſhould indemnify Scotland for every tax, which the latter was afterwards to pay, ſolely upon her account; or that the former ſhould advance to the latter a principal ſum, preciſely equal to the accumulated amount of the taxes, by which Scotland contributed to the clearance of the intereſt and capital of the Engliſh debts. There being alſo a part of the Engliſh debt, for which no funds were yet

provided, it was ſettled that Scotland ſhould receive an equivalent for the proportion ſhe might hereafter be required to contribute on that account[5].

The remaining queſtions were, to whom was this ſum to be paid? under whoſe diſpoſal was it to be placed? and for what purpoſes applied? Had it been put into the hands of the Scottiſh merchants or manufacturers, it would have produced preciſely the ſame effect with the remiſſion of the duties: the merchant would have been enabled to reduce the price of their goods, and to underſell their competitors in England, in a proportion equal to the ſaving, ariſing from the abatement or drawback of the tax. To do ſtrict juſtice to both the united kingdoms, the general principle adopted, was, to diſburſe the ſum paid as an equivalent to Scotland, in ſuch a way, as would redound, moſt extenſively and permanently, to her benefit. The purpoſes ſpecified by this article exactly correſponded with this idea. The loſs, ariſing from the Darien ſcheme, came home to perſons of every deſcription, and in every part of the country; and as it had been occaſioned, in ſome meaſure, by the unkindneſs of the Engliſh parliament, ſo it appeared to be no more than juſtice to allot a part of the equivalent for paying the ſtock and intereſt of that injured company which was now to be diſſolved[6]. As part of the cuſtoms and exciſe, levied from Scotland, was appropriated to the payment of the debt of England, it was fair and reaſonable that a part of the equivalent, which the former received for doing this, ſhould be appropriated to the diſcharge of her own internal debt. The application of the remainder was equally juſt and expedient; and the general effect of it was, to put Scotland into caſh and credit, without which ſhe could not have availed herſelf of the commercial privileges conferred upon her by the union.

XVI. The coin to be of the ſame ſtandard throughout the united kingdom as now in England.

[5] The debt of England at the union amounted to twenty millions, but funds were only provided for ſeventeen millions; and therefore it was ſtipulated, that if any part of the funds, to be afterward deviſed for the payment of the remaining three millions, ſhould affect Scotland, ſhe ſhould receive an additional equivalent for her indemnification.

The total income or revenue of England - -	£.5,691,803
The cuſtoms produced -	1,341,559
The exciſe - - -	947,602
The debt of Scotland amounted to	£.160,000
The exciſe in Scotland -	35,000
The cuſtoms - - -	30,000
Crown rents, land-tax, or ceſs and poſt-office - - -	125,000

[6] The ſum of two hundred and forty-three thouſand one hundred and ſixty-ſix pounds was paid out of the equivalent for the capital ſtock, and intereſt upon it, belonging to the proprietors of the African company, and the diſcharging of the debts due by them. Defoe, p. 514. 654.

XVII. The ſame weights and meaſures to be uſed as now in England.

XVIII. The laws for the regulation of trade, cuſtom, and the exciſes, which Scotland is to be liable to, to be the ſame with England. Other laws in Scotland to remain as before, but alterable by parliament. Laws which concern the public and civil government to be the ſame throughout the united kingdoms; but no alteration to be made in the laws which concern private right, except for evident utility of the ſubjects within Scotland.

"It is a great happineſs," ſays Sir John Clerk, "that our laws were "not like thoſe of the Medes and Perſians, unalterable; and that they "were ſtill ſubjected to the parliament of Great Britain. Some of them "have been altered; and many of them ought to be altered, particularly "where private rights interfere with public advantages." Sir John Clerk's MSS.

XIX. The court of ſeſſion, and the court of juſticiary, ſhall remain in Scotland as they are now conſtituted by the laws of that kingdom. All other courts, now in being within the kingdom of Scotland, ſhall remain, but ſubject to alterations by the parliament of Great Britain. All admiralty juriſdictions ſhall be under the lord high admiral, or commiſſioners for the admiralty of Great Britain. There ſhall be a court of exchequer in Scotland after the union, for deciding queſtions concerning the revenue, having the ſame power and authority as the court of exchequer in England.

XX. All heritable offices, ſuperiorities, heritable juriſdictions, offices for life, and juriſdictions for life, ſhall be reſerved to the owners thereof, as rights of property, in the ſame manner as they are now enjoyed by the laws of Scotland.

This article, had it been ſtrictly adhered to, muſt have proved an inſurmountable obſtacle to the extenſion of liberty in Scotland. The treaty of union afforded a fair opportunity for aboliſhing thoſe relics of the feudal ſyſtem, which had often endangered the throne, and obſtructed the courſe of juſtice, and entailed many grievances on the lower ranks of ſociety.

ſociety. But ſo tenacious were the gentlemen of Scotland of the deformities of their conſtitution, that the treaty was made an inſtrument of recogniſing and perpetuating them; and the word *ſuperiorities*, which had been omitted in this article, by the commiſſioners at the Cockpit, was recalled and inſiſted upon by the Scottiſh parliament, as if they had been jealous of the intruſion of reform where it was moſt needed. This illiberal ſpirit of our anceſtors has, however, rather retarded than prevented the correction of thoſe evils ariſing from hereditary juriſdictions and ſervile tenures, which were ſanctioned and ratified by the union. While the ſtrongeſt motives of juſtice and policy have conſtrained the legiſlature to diſſolve privileges, which were ſo pernicious to public order and general freedom, the enlightened underſtanding and good diſpoſitions of thoſe, who were intereſted in retaining them, have prevented their taking any advantage of the formality and ſtrictneſs of a legal ſtipulation.

XXI. The rights and privileges of the royal burghs of Scotland ſhall remain as they now are, notwithſtanding the union.

XXII. Sixteen of the peers in Scotland ſhall ſit and vote in the houſe of lords, and forty-five repreſentatives of Scotland, in the houſe of commons, of the parliament of Great Britain; the choice whereof to be according to the act paſſed in Scotland for that purpoſe.

During the ſhort union of the two kingdoms, under the protector, thirty members only had been allotted to repreſent Scotland; and the Engliſh commiſſioners expected, that the addition of eight, out of the commons of Scotland, which they voluntarily propoſed, beſides the ſixteen peers, would have given entire ſatisfaction. Upon the ſcheme of adjuſting repreſentation to public burdens, it was more than double what Scotland was entitled to demand; but, upon that of adjuſting it to population, it was ſtill in a greater proportion deficient[7]. In the former caſe, the number of repreſentatives would have amounted to thirteen; and, in the latter, to one hundred and ſeventy; but as neither of theſe extremes were likely to be accepted by the reſpective parliaments of the two kingdoms, the Scottiſh commiſſioners were deſirous to take a middle courſe, and to fix their repreſentation, agreeably to the combined eſtimation of numbers

[7] The number of people in England, at the union, was ſuppoſed to be ſix millions; in Scotland near two.

The peerage of England amounted to one hundred and eighty-five; of Scotland, to one hundred and forty-five. The houſe of commons in England conſiſted of five hundred and fifteen members; the repreſentatives of the counties and burghs of Scotland, who ſat in the ſame houſe with the peers, were one hundred and fifty-two.

and

and property. This however was a point which the Engliſh commiſſioners, knowing the temper of the parliament, were determined not to yield. They agreed, at length, to the number of forty-five members, from the counties and burghs of Scotland, which was aſſigning her a tenth part of the repreſentation in the united legiſlative body [s].

There was not any claſs of men in Scotland apparently more degraded and injured by the union than the Scottiſh peers. Inſtead of an inherent, perſonal right, of ſitting and voting in the legiſlature, they were to be reduced to the precarious privilege of an election, ſo ſcanty, as to admit leſs than a tenth part of their number. The majority of the peers certainly would not have concurred with this article, had they not been allured by the proſpect of advantages, which could not, with propriety, enter into the treaty. "I muſt here declare," ſays Sir John Clerk, "what I know to be the true reaſon of their coming ſo eaſily into this "article. Moſt of them had promiſes made to them, that the reſtriction "of their number to ſit in parliament needed be no objection, for that "moſt of them would be created peers of Great Britain after the union, "with the privilege of ſitting in the houſe of peers; and that, by degrees, "all the noble families in Scotland would be received into the full enjoy-"ment of the peerage of Great Britain."

XXIII. The ſixteen peers of Scotland ſhall have all the privileges of parliament which the peers of England now have, and particularly the right of ſitting upon the trials of peers; all the peers of Scotland, and their ſucceſſors, ſhall be peers of Great Britain, and have rank and precedency next, and immediately after, the peers of the like orders and degrees in England, and ſhall enjoy all privileges of peers as fully as thoſe of England, except the privilege of ſitting in the houſe of lords.

XXIV. There ſhall be one great ſeal for the united kingdoms; a ſeal to be ſtill uſed in Scotland in things relating to private right; the crown, ſceptre, ſword of ſtate, and all records whatſoever, ſhall continue to be kept in Scotland.

XXV. All laws and ſtatutes, inconſiſtent with the terms of theſe articles, ſhall ceaſe and become void.

[s] "The inability of Scotland, at that time, "to ſend a greater number poſſeſſed of for-"tunes, adequate to the expence of a journey "to London, and living there, was an argu-"ment, which ſecretly had its weight in re-"conciling the Scotch members to this ſcanty "repreſentation." Sir John Clerk's MSS.

N° II.

LETTER *from the Duke of* MARLBOROUGH *to the Duke of* SHREWSBURY.

MY LORD Camp at Sefelingen near Ulm, Augt 30th 1704.

From the Shrewſbury Papers.

IT was with great pleaſure that I received yeſterday the honour of your graces letter of the 26th paſt, and am particularly obliged to you for your kind congratulation upon our ſucceſs at Schellenberg, our latter victory at Bleinem I am confident muſt have given you much more ſatisfaction, as it is of greater conſequence to the Publick, and the enemy's loſs more than we cou'd have expected, or indeed have ventured to wiſh for; the Elector of Bavaria has been oblig'd to abandon his country, and by ſeveral letters intercept'd going from the enemy's camp at Duttingen to Paris dated the 19th Inſtant, they own that this Battle has Coſt them upwards of forty thouſand men, killed, Priſoners, and by the deſertion ſince upon their haſty march, or rather flight towards the Rhine. Mon^{r} de Tallards army we reckon in a manner entierly Cutt off, beſides the loſs ſuſtain'd by the Mereſhall Marcin, and the Elector of Bavaria's Troops. We leave General Thungen here to beſiege Ulm as the chief key into theſe countrys, and with the reſt of the army are marching towards the Rhine, where I hope God Almighty has further bleſſings in Store for us, before the end of the Campagne. I beg your grace will let me have the Satisfaction of hearing ſometimes from you under cover to Mr Davenant the Queens Reſident at Francfort, and that you will do me the juſtice to believe me with the greateſt truth and Sincerity

Your Graces moſt faithfull Obedient Servant

MARLBOROUGH.

Beſides what has been taken by P. Eugene, and the Germans I have 107 Coulors, 34 Standards and 44 pieces of cannon, which were all taken by the troops I have the honour to Comand, as alſo the incloſed liſt which are all to goe for England.

N° III.

☞ The following Letter from the Duke of MARLBOROUGH to the Duke of SHREWSBURY is inſerted, becauſe it gives an account of ſubſequent operations of the campaign, and of the deſire of the cabinet to extend the Grand Alliance by the acceſſion of the Venetians.

MY LORD Camp at Weiſſembourg 30th Septr 1704.

Shrewſbury Papers. I have already own'd, by mine of the 28th paſt, the recit of your Graces letter the 26th of Jully, as I muſt do that of the 30th Auguſt, which Mr Stepney, who has been ſo kind as to Come and make me a viſſet from Vienna, delivred to me the laſt weeke. I cannot be enough thankfull for the obliging terms you are pleaſed to uſe, nor can I expreſſe the ſatisfaction I have in the hopes you ſeem to give of ſeeing you in England; Tis what I have longed for a great while, as wel as many other of your friends, but I dare ſay none would injoye more real pleaſure in it than my Self, by my laſt I told your grace we were haſtning towardes the Rhine, we paſſed that river at Philipſbourg ſooner by ſome days, then the enemy expected, however thay pretend'd to give us battaile on the Spireback, and had actually poſted, and fortefied themſelves on the Queich in order to diſput our Coming to Landau, but upon our approch they always retired with great precipitation and left us at laſt entier maſters of the Siege, which the king of the Romans is carrying on, while P. Eugene and myſelf Cover it, as your Grace will already have been informed; the Continued rains we have had for ſeveral days paſt, have been ſome obſtruction to us, but now that faire weather ſeems to be ſett in againe, the ſiege will be carryed on with greater vigor, ſo that we hope to be maſters of the place in about three weekes, after which if the ſeaſon feavour us, I ſhal endeavour to ſeize Trarback, and extend our Winter Quarters to Treves and along the Moſelle and ſo end the Campagne.

I have a letter from the laſt poſt by Mr Secretary Harley, in which he gives me his privat thoughts, that this might be a proper juncture to ſet on foot a negotiation with the Venetians, for bringing them into the grand allyance, wherein I am confident, if you wou'd give yourſelf the trouble, your knowlidge and intereſt in thoſe parts might be of great uſe, and I am as ſure Her Maty wou'd readily come into any meaſures you ſhou'd propoſe, therefore I beg that by your next you wil pleaſe to give me your opinion of this

this matter, with what hopes there may be of ſucceſs, and the moſt likely means of bringing it to paſs. Wee have been keep[t] a long time in ſuſpence about the ſucceſs of the engagement between the two fleets in the Mediteranien, and are ſtil without any relation that can be depend'd on, but by what we have from France, we have reaſon to beleive, the advantage has been on our ſide. I am with great truth and reſpect

MY LORD

Your Graces moſt obedient humble Servant

MARLBOROUGH.

N° IV.

☞ The following Letter from the Duke of MARLBOROUGH to the Duke of SHREWSBURY, gives a ſhort view of his ſituation at the beginning of this Campaign, and corroborates the account I have given of it.

MY LORD Maeſtricht June 30th 1705.

Shrewſbury Papers.

BY the failure of our friends in all they promis'd me on the Moſelle I have been obliged to march back to the Meuſe. I was 15 days together in the camp of Elft without being joined by any troupes but what were in the engliſh and Dutch pay, though I was to have been conſiderably reinforc'd by the Germains immediately upon my taking the field, and finding already a ſcarcity of Forage, by the unſeaſonable cold weather, which had deſtroy'd all the graſe and oates, with no maner of hopes of being ſuplied in any reaſonable time with horſes and carriages promis'd for bringing up owr great artillery for the ſiege of Saar Lewis, where if we had been once poſted, we ſhould have been plentifully ſupplyed with ſubſiſtance out of Loraine, all theſe diſappointments obliged mee to yield to the preſſing inſtances of the ſtates and their Generals, to come hether to their relief, Mon[r] de Villeroy had already taken Huy, and was come before Liege, where he had begun to raiſe his batteries, and was threatning Limbourg & Collogne by detachments att the ſame time, but upon our approach he drew of his canon, & ſent it back to Namur, retiring with his army to Tongres, where it was reſolved to have march'd derectly to him to-morrow, but I have juſt now advice that he is marched this morning to Montenac

towards their lyns; ſo that the firſt thing we ſhall do wil be to retake Huy. When I march'd from Treves, I left there ſixtien battalions of foot, and 15 Squadrons of horſe for the ſecurity of that place, in hopes I might have been able to have returned to the Moſelle in five or ſix weeks, but I have receiv'd adviſe that thoſe troupes have already abandoned the place without being attack'd; when I have the ſatisfaction of ſeeing your Grace I ſhal tel you a great deal more of the uſige I have met with, in the mean time I heartily wiſh you a good jorny, and am with the greateſt truth, and ſincerity [9]

MY LORD

Your Graces moſt obedient humble Servant

MARLBOROUGH.

N° V.

☞ The following Letter to the Duke of SHREWSBURY ſhews how deeply the Duke of MARLBOROUGH felt the diſappointment occaſioned by the timidity of his Dutch colleagues.

MY LORD Camp at Corbais 24th Auguſt 1705.

Shrewſbury Papers.

I WAS flattering myſelf with hopes of the long expected happineſs of ſeeing your Grace in theſe parts, when I received the honour of your letter of the 10th Inſtant, with an account of your being laid up with a fitt of the gout, I aſſure you I take great ſhare in whatever you ſuffer, & am the more concerned at your preſent illneſs, becauſe it deprives me of the ſole ſatisfaction

[9] In the above letters, the orthography of the original manuſcripts in the duke of Marlborough's own hand, is literally adhered to. Several authors have noticed the incorrect ſpelling which occurs in the duke's letters, as if it had been peculiar to him, and a proof of his being ſingularly illiterate; but it ought to be conſidered, that there was no regular and eſtabliſhed ſyſtem of orthography at the period in which he lived; and even ſome of his learned contemporaries, if tried by later ſtandards, will appear exceedingly deficient in this accompliſhment of a ſcholar. All the duke's letters are written in that conciſe and perſpicuous ſtyle which indicates a clear and manly underſtanding; ſome of them, which were compoſed with deliberation, and on great occaſions, are diſtinguiſhed for elegance and refined addreſs; and far leſs cenſurable for inaccurate orthography than the ſpecimens here produced.

ſatisfaction I had propoſed to myſelf for the reſt of the Campagne, for which loſs however I ſhould think myſelf ſufficiently recompenſed if for a tranſient fitt you ſhould at length get ridd of your old diſtemper.

Our army is in a manner laid up too by a diſeaſe for which I ſee no cure, otherwiſe there is great reaſon to believe we might have made a conſiderable progreſs in the enemy's country, in order to which I had at the camp at Meldert with great difficulty got together a proviſion of about ten days bread, and having marcht four days together through ſeveral defiles and part of the Bois de Loignies, the army came the 18th Inſtant into a ſpacious plain with only the Yſche between us and the enemy, about noon we were formed in order of battle, and having viſited the poſts with Monsr D'Auverquerque, we reſolv'd to attack, thinking there was no more to do but to order the troops to advance. When the deputies of the ſtates having conſulted their other Generals would not give their conſent, ſo that I was with great regret obliged to quit the enterprize, which promiſed all imaginable ſucceſs, and to march back with the melancholy proſpect of being able to do nothing more this campagne, whereof ſo much ſtill remains behind, than make the ſiege of Leeuwe, and demoliſh the lines. This diſappointment at a time when our expectations are ſo little anſwered elſe where makes me very uneaſy, & ſince all my remaining conſolation is in your good company I hope aſſoon as you have your health no thing will hinder you from haſtening this way [16].

MY LORD

Your Graces moſt faithfull and moſt Obedient humble Servant

MARLBOROUGH.

[16] The above letter is written in Mr. Cardonel's hand, and the duke ſubjoins the following poſtſcript with his own hand:

"This laſt diſappointment vexes me ſo much that I am dead with the headake, which I hope will prevaile with you to pardon my making uſe of Mr. Cardonels hand."

N° VI.

☞ The following Letters from Lord Halifax are a part of the Hardwicke Collection, and having never been before publiſhed, will be acceptable to ſome of my readers, on account of the eminent literary character of the author, as well as their reference to his embaſſy to the court of Hanover [11].

LETTER *from Lord* HALIFAX *to Mr.* HARLEY.

SIR Hanover 8th May 1706.

I HAVE received this morning the honour of your letter of the $\frac{17}{8}$ May, by which I hear the glorious ſucceſs of the Duke of Marlborough has reached England. I am confident you are all in raptures. I look upon the war at an end, that France will be obliged to make peace on what terms the Queen pleaſes to demand, and that my meſſage to this place will quickly be made more certain by the Prince of Wales's journey to Rome. In obedience to my inſtructions, I have had private audiences of the Elector, the Electreſs, the Prince, and Princeſs Electoral, and of Duke Erneſt. I repeated to them all, the aſſurances I had before given them of the eſteem, affection, and friendſhip that the Queen has for them; and they have ordered

[11] This great man was one of the pillars of the whig party, and would have been an ornament to any: he was irreproachable, on the heads of inconſiſtency, duplicity, and corruption. He was the great friend and confident of lord Somers, and as the regency bill was framed by the latter, it is no wonder that lord Halifax was thought by him the moſt proper bearer of it to Hanover. It has been ſaid by thoſe who knew him, that he had a mixture of vanity and affectation in his character, which ſometimes expoſed him to ridicule; and when he was at the electoral court on this commiſſion, he entertained them, not to his own credit, with a favourite Italian air which Nicolini had ſung in England. If this is true, it ſhews the foible of human nature in the moſt ſhining characters. It is believed that, on the acceſſion of the Hanover family, he expected to have been lord treaſurer, and was greatly mortified by being only appointed firſt commiſſioner of the treaſury. I heard the duke of Newcaſtle ſay, that lord Halifax's firſt levee at the auditor's exchequer-houſe was the moſt crowded and brilliant he ever ſaw.

It may be fairly aſſerted, that the adminiſtration, which lord Halifax flouriſhed in, were the greateſt encouragers of men of real talents and ingenuity of any we have had in England. Addiſon, Prior, Locke, Steel, and Congreve were all promoted under it, and when it is alſo remembered, that ſir Iſaac Newton was at that period (viz. in 1699) made maſter of the mint, *verbum non amplius addam* as to patronage of merit.

The above anecdotes were communicated to me by lord Hardwicke, and compoſed, I conjecture, by his uncle the late lord Hardwicke.

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me to aſſure her majeſty that they have all the duty and reſpect imaginable for her. When I waited on the Electreſs, I carried to her printed copies of the acts in Engliſh: ſhe gave me leave to read them to her, and I endeavoured to explain to her highneſs the neceſſity and uſe of all the parts of them. I gave the Elector a tranſlation of the act in french, and gave him a ſhort account of the proceedings upon it in parliament, and the motives and grounds that the houſes had for preferring ſuch an eſtabliſhment to the motion of the invitation, which he aſſured me he never approved[12]. He deſired the miniſters might have a conference with me upon the laſt act, and accordingly the Count Platte, Count Berndorff, Monsr Guſitz, Monsr Buleau Monsr Oberg and Monsr Elſe, came to my houſe on Saturday. I had Mr How with me and they brought Monsr Robethon who was interpreter betwixt us. I explained to them all the clauſes in the act, as it ſeemed to their ſatisfaction. They made a report of what had paſſed to the Elector and Electreſs, and I am told they are now fully ſatisfied of the care and prudence of the Queen and parliament in making ſuch an eſtabliſhment, and will omit nothing on their part to ſhew their approbation of it, and to make it more effectual. The Electreſs will ſuddenly ſend over three inſtruments whereby ſhe will nominate ſome perſons to be Lords' juſtices purſuant to the act. I hope I have now fully executed the Queens commands in this particular, and when the ceremony of the garter is over, I ſhall take leave of this court and return for England. Lord Marlborough's conqueſts will make my ſtay on this ſide the water much longer than I thought. I promiſed to bring him an account of this court, and my negotiation when I thought I ſhould find him in the neighbourhood of Liege or Maeſtricht; but where ſhall I now follow him? The King of Pruſſia will be here next week, and tho' I would not have gone far out of the way to meet him, I think I muſt not run away from him now he is coming. They expect he will propoſe a match betwixt the Princeſs of Hanover and his ſon, which are both nearly related to the crown of England. I wiſh you much joy of all this good ſucceſs, and hope in a ſhort time I ſhall have the honour of kiſſing your hands. I am &c.

(Signed) HALIFAX.

[12] This is true: the elector diſapproved of the forwardneſs of his whig friends in this buſineſs, though it was perfectly agreeable to the inclinations of the princeſs Sophia. Archerly's Caſe, MSS.

N° VII.

From the Same to the Same.

SIR Hanover, $\frac{7}{18}$th June 1706.

SINCE my laſt of the 15th, the King of Pruſſia is arrived here; and yeſterday morning a marriage was concluded between the Prince Royal and the Princeſs of Hanover. Both the courts ſeem extremely pleaſed with this match; the acquaintance & good correſpondence that uſed to be among them being in a manner broke off by the death of the Queen of Pruſſia; but this new alliance will probably put all right, and make the affection and friendſhip between the two houſes more hearty and ſincere than it was at the latter end of the Queens life. I cannot but think the Queen and the Engliſh will be very well ſatisfied, that a Prince and Princeſs, that are related to England, are thus joined together, and that all the moſt conſiderable proteſtant intereſt is ſo firmly united. I have ſaid this as my own opinion, and I believe it would be mighty acceptable to them if the Queen's miniſtry were inſtructed to expreſs her majeſty's ſatisfaction in it. The Electreſs ſent me the incloſed for the Queen which I beg you will preſent to her majeſty with my moſt humble duty; I am confident they would have aſked the Queens conſent in form before now if any certain meaſure could have been taken of the Kings humour. His ſtay here will keep me till this day ſen'night tho' I had fixed my journy for Tueſday. I am &c.

(Signed) HALIFAX.

N° VIII.

The Same to the Same.

SIR, Hague 16th July 1706.

IN my laſt I gave you an account of my laſt conference with the miniſters of Hanover, & how that commiſſion was concluded which I had to that court. Since I came hither, I have endeavoured to do what I could in promoting the treaty which the Duke of Marlborough began [13], and I hope I have done ſome good. The ſtates of the province of Holland had it under the Examen, as they call it, to day; and their opinion (or advice) is in favour of

[13] The Barrier Treaty.

it;

it; but according to their forms it muſt be propoſed in the ſeveral towns before it is offered to the States General. They were ſworn to ſecrecy in this affair, but by what I can learn they have agreed, That the Queen ſhall be acknowledged as a preliminary, and her miniſtry received as ſuch by the treaty, for they could not anſwer the Arguments upon that head. They have alſo agreed that the ſucceſſion ſhall be ſettled & acknowledged in the Treaty; but then as a ſecurity to them they would have the Queen promiſe that their barrier ſhall be ſettled and ſpecified according to the 5th Article in the Grand alliance. But I believe they are not fully agreed how this article ſhall be drawn. Some would have it conceived in General words, in which there would not be much difficulty; others would have the towns named, which they think ought to be put into their hands to ſecure their frontier, but that may not be ſo proper, eſpecially ſince the moſt conſiderable of them are not yet in their power. And after they have turned it ſeveral ways, I believe it will end in deſiring the Queen to be guarantee to them, that at the concluſion of the peace they ſhall have ſuch a barrier given them as they ſhall think ſufficient for their ſafety and ſecurity. If the Queen is pleaſed to give them this Covenant as an equivalent for their being guarantees of the ſucceſſion, I hope the thing is done; & I cannot doubt but this will be approved. The terms are equally reaſonable on both ſides; for ſecuring our ſucceſſion is truly their intereſt, and their barrier is our ſecurity. Having brought this great affair to this point I know no further ſervice that I can do. The ſtates of Holland adjourn to-morrow, and then I ſhall ſet forward upon my journy to wait upon Ld Marlborough. He has been pleaſed to ſtop the Henrietta Yatcht to ſtay for Ld Hertford and me: Mr Cardonel has written to Mr Burchet for his Royal Highneſſes approbation; here are alſo two frigates, the Haſtings and Rocheſter prize. I would humbly beg that they might ſtay to convoy us over. When I am in Flanders, I ſhall have no pretence to take this liberty of troubling you in this manner, and I beg leave to return you a thouſand thanks for the honour of your correſpondence; and when I come to England I will wait upon you to deſire the continuance of your favonr & friendſhip, which I value & eſteem extremely. I am &c.

(Signed) HALIFAX.

N° IX.

The Same to the Same.

SIR, Hague 10th Auguſt 1706.

I RECEIVED the honour of your letter of the 16th July at the camp, where I had little leiſure and leſs convenience to make anſwer. I met another from you of the 3d Auguſt at my return to this place. I am very much obliged to you for the good opinion you have of my care for the ſucceſs of the treaty, which meets with more difficulty than I expected. All the towns of Holland have agreed to it except Leyden: The deputy of that town has yet ſome difficulties which are not to be underſtood, and ſeem to be rather humour & perverſeneſs than any ſolid reaſons. I have done my beſt to ſatisfy him, but it has not yet had its effect. Tomorrow morning they take it under conſideration again & I hope will finiſh it; I hope to take the advantage of a convoy that brought over Lady Eſſex, & that I ſhall be able in a ſhort time to return you thanks for the honour of your correſpondence, & to aſſure you with what ſincerity & reſpect, I am &c.

(Signed) HALIFAX.

N° X.

☞ The two following Letters throw light on the debates which took place in the Engliſh Parliament, after the paſſing the Scotch Act of Security; and alſo on the ſtate of parties at this period.

LETTER *from Mr.* VERNON *to the Duke of* SHREWSBURY.

1st Decr 1704 [14].

Shrewſbury Papers.

THE houſe of Lords ſpent wedneſday in the conſideration of ſcotch affairs. My Ld Rocheſter opened it & would have had their act of ſecurity read. My Ld Notingham ſeconded him and enlarged upon it.

[14] Mr. Vernon was appointed ſecretary of ſtate in the year 1697, in which office he continued till the beginning of the year 1700, when he became obnoxious on account of his having had a principal ſhare in the buſineſs of the partition treaty.

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My Ld Wharton, & Ld Somers, oppoſed the reading the act, tho' it was done in the Darien buſineſs, yet they obſerved that it was an act printed at Edinburg by authority, but this comes to them no otherwiſe than by the flying poſt, & other prints of no greater authority, which likewiſe diſagree in the account they give of it.

Tho' my Ld Somers diſagreed to the reading of the act, yet hee did not much differ in opinion as to the inconveniences of it, and found no leſs fault with another act, paſſed in that parliament for exporting wool. But, in concluſion, he moved for a longer time to conſider what they ſhould adviſe by way of remedy for the miſchiefs theſe acts portended. This was readily ſeconded by my Ld Rocheſter, as if it had been by concert between them. But I think that this is not the caſe, it is rather ſuppoſed they have different aims. So many things have happened of late, as may induce one to believe, that the old and new miniſtry may grow to underſtand one another better. My Lord Treaſurer took an occaſion to ſpeak pretty plainly in this matter. He owned he had known a good deal of Scotch affairs of late, & wiſhed he had not ſeen them as they were. He could not diſagree, but the bill of ſecurity might have an untowardly aſpect, but yet as circumſtances then ſtood, there might have been more immediate danger in refuſing the royal aſſent [15], and whatever ill look it had at preſent, *he thought it was not without a remedy.*

Some think My L^d^ advanced too far, & gave a handle againſt himſelf to be charged as the adviſer of paſſing the bill; but I can't but think he had well conſidered what he would ſay. The queen, who was preſent at the debate, might expect ſomething ſhould be ſaid in her behalf, as far as ſhe was concerned, and I muſt always remember the partition treaty, which I think, could never have been puſhed ſo far, if every body would have owned, at firſt, what they knew of it, and ſaid as much for it as it would bear &c. &c.

[15] The conſent of the queen to the act of ſecurity gave great offence to her ſubjects in England, and brought a torrent of odium upon lord Godolphin, who was believed to be the adviſer of that meaſure. From the above letter, it appears, that lord Godolphin did not diſown his having adviſed the queen to ratify the act of ſecurity, on account of the critical ſituation of affairs of Scotland; that he foreſaw the inconveniences ariſing from it, but thought they were not without a *remedy*. The remedy to which lord Godolphin referred was undoubtedly the union; and hence there is plauſible ground for concluding, that the union was not an accidental and unforeſeen conſequence of the act of ſecurity; and contrived poſterior to the act, to prevent its ill conſequences; but that the former was predetermined, and intended to bring about the latter. It is curious, that the very word *remedy*, uſed by lord Godolphin, is alſo uſed by ſir John Clerk, upon the ſame ſubject. "They themſelves, namely, the miniſters, invented or encouraged a formidable act in Scotland, in order to frighten the parliament of England, to provide a ſpeedy remedy againſt it. This remedy, as I have before noticed, was the union." Sir John Clerk's MSS.

N° XI.

LETTER *from Mr.* VERNON *to the Duke of* SHREWSBURY.

8th Decr 1704.

Shrewſbury Papers.

I ACQUAINTED you laſt week with the firſt overture of the Scotch buſineſs in the houſe of Lords. They were upon it again on Wedneſday laſt, and it proceeds, gradually, according to the plan already hinted at. The Lords that entered the liſts on Wedneſday were the Earl of Rocheſter, the Earl of Notingham, and Lord Haverſham on one ſide, and my Lord Somers, Lord Wharton, and Lord Halifax, on the other, her majeſty being again preſent at the debate. The three firſt mentioned Lords preſſed the houſe to paſs a judgement on the ſcotch act of ſecurity, that it was of pernicious conſequence, tending to defeat the proteſtant ſucceſſion, and to alienate the two kingdoms from one another, ſome of them came out with it in the debate, that this queſtion being carried would lead them to enquire, who gave the advice for paſſing it, and it was likewiſe ſaid, that from whomſoever the advice came the queen ought to have withſtood it.

The other three Lords oppoſed that queſtion, thinking they ought rather to apply themſelves to find out the beſt remedy they could, they were not for telling the Scots, they ought not to paſs any act that houſe ſhould not like, but leaving them to their own freedom and independence, which they ſhewed ſuch a jealouſy of. When they ſaw any thing done this kingdom might be affected with, it ſeemed more parliamentary, to obviate it in a legiſlative way, and therefore my Lord Somers moved, that they ſhould go by way of bill, wherein they might ſhew, that if the Scots pretended to ſet up a ſeparate kingdom, they, in probability, would be the greateſt loſers by it; and ſince they had ſo mean an eſteem of the advantages they had by their preſent union with England, perhaps the generality there might have a better opinion of them when they ſaw any danger of their being loſt, and, in order hereto, he propoſed that the houſe ſhould go into a grand committee on Monday to conſider of proper heads for ſuch a bill, or bills. My Lord Treaſurer came into this motion, as the moſt likely means to obtain what they aimed at from Scotland. Some Lords anticipated the debate appointed for Monday, and hinted at ſome heads they thought proper, ſuch as prohibiting ſcotch cattle to be brought into England, the ſuppreſſing their hawkers and

pedlars [16], & incapacitating Scotſmen from having any employment here civil or military; & as they opened it, they would not have this to operate immediately, but that there ſhould be a competent time allowed in the bill before it ſhould take place. Whereby is underſtood, that if the parliament of Scotland in their next ſeſſion ſhall come to a better temper, theſe acts may likewiſe be reverſed at our next parliament without being put in execution. My Lord Halifax, I hear ſpoke long and very well. He put them upon conſidering how this ill blood had been breeding in Scotland for ſeveral years ever ſince the Darien project was ſet on foot, and he remarked that the ſame gentleman, meaning Mr. Johnſton [17], who had ſo principal a hand in promoting that act, was no ſooner advanced to the miniſtry again, but we ſee another notorious breach made upon the good underſtanding between the two kingdoms. My Lord Pawlett ſaid ſomething in vindication of his kinſman, Johnſton, but cloſed with the motion for proceeding by bill. My Lord Peterborough likewiſe ſpoke in favour of Johnſton, and carried his diſcourſe farther than there ſeemed to be any occaſion for, towards an apologizing for the miniſtry, who he thought were to be pitied in having ſuch a load upon them, as to be conteſting, at the ſame time, with the folly of Portugal, the obſtinacy of the Emperor, the Selfiſhneſs of the Dutch, and the madneſs of Scotland, all ſuperadded to the power of France. The Biſhop of Saliſbury ſaid nothing that day. The Lords, who propoſed the firſt queſtion, inſiſted pretty much upon having it put, but the houſe ſhowed no diſpoſition towards it, inſomuch that my Lord Notingham told them, they were not for going to the bottom of the ſore, to which Lord Mohun replied, they would go as far as was neceſſary for healing the wound, and aſked his Lordſhip if he were for rubbing it to a gangrene. Matters being thus well prepared in the houſe of Lords, the great expectation is, whether the commons will go on in the ſame method, when they enter upon the conſideration of it, on tueſday next. If they concur, I hope the two kingdoms, as well as the adminiſtration will find their quiet by it. &c. &c.

[16] See p. 191, of the Hiſtory, in the note.

[17] He was made ſecretary of ſtate for Scotland, by king William, in the year one thouſand ſix hundred and ninety-two, and had the principal influence in perſuading his majeſty to paſs the act in favour of the Darien company; and was diſmiſſed upon that buſineſs being enquired into and reſented by the Engliſh parliament. Burnet, vol. iv. p. 166. 303. He had lately been made lord regiſter in Scotland, and was much truſted by the earl of Godolphin. He was ſuſpected of being friendly to the pretender; and it was ſaid by his enemies, that though he had received public inſtructions from the treaſurer to promote the proteſtant ſucceſſion, yet he was privately, perhaps not without the connivance of their author, uſing the utmoſt endeavours to thwart it. Id. vol. v. p. 196.

N° XII.

LETTER *from the Duke of* MARLBOROUGH *to the Duke of* SHREWSBURY.

MY LORD, Meldert, July 27th, 1707.

Shrewsbury Papers.

I HAVE forborn returning your Grace my thankes for yours by Mr. Irons, in hopes to have had some good news, to have sent you from this army, but the force of the enemy has made us so very cautious, that I despaire of doing any thing considerable this campagne, and having received an express yesterday from Pr. Eugene, I wou'd not lose any time in letting you know that they have entered Provence without any losse, and have resolv'd to begine with the siege of Toulon, if they succed France will be a great while recovering this blow, we shall know by to-morrows letters from the Rhin, if it be from that the Mareshal de Villars has detached 30 squadrons and 24 battalions, that joyn'd with what may march from Roussillion must make the Mareshal de Tessée army stronger than the Duke of Savoys, but as the Duke of Savoye is like to have one months time before these detachements can joyne the Mareshal; I hope his R. H. will have taken the town, by which he may be in a good condition to ventur a battaile, the gaine of it, may hasten my waitting on you, to your new building, for I long to be at quiet in Oxfordshire. I have had it in my *power*[17] to make Mr. Irons a capt. without doing much injustice. I beg my most humble respects may be given to the duchesse of Shrewsbury, and that you will believe me what I am with much truth,

MY LORD,

Your Graces most obedient humble Servant

MARLBOROUGH.

N° XIII.

LETTER *from the Duke of* MARLBOROUGH *to the Duke of* SHREWSBURY.

MY LORD, Soignies, Augt 16th, 1707.

Shrewsbury Papers.

I RECEIVED last night the honour of your Grace's letter, and would loose no time in returning my thankes for it. I can't helpe wishing, when you were so near, you wou'd have made your compliments att court, being sure

[17] The word power is omitted in the original.

it

it would have been taken kindly, and am ſure none that knows you could have put any ſiniſter conſtruction upon it, I hope you will alow me leave to make the beſt uſe of what you write to me on that ſubject. We have been marching for five days together, with a deſign to bring the enemy to a battle, we were twice in hopes of it, one of them was the anniverſary of Blenheim, and if the enemy wou'd have ſtood, with the bleſſing of God, we might have had the like good ſucceſs, but they continually retired before us, and yeſterday got to the Camp of Cambron, but this march has coſt them above two thouſand deſerters, beſides what they ſuffered by the fatigue of their march for want of bread for three days together; hearing your houſe may be ready before mine, I have conſented that the Eaſt part may be made habitable, ſo that I may have the honour and happyneſs of being near you. I am very much obliged to my Lady Dutcheſs for her remembrance, and pray you will aſſure her Grace of my moſt humble ſervice. I am with truth and reſpect,

MY LORD,

Your Graces moſt obedient humble Servant

MARLBOROUGH.

N° XIV.

☞ The following Letters exhibit the commencement and progreſs of that diſagreement which took place between Lord Godolphin and Mr. Harley, and give an inſight into the trimming ſyſtem of the latter, and the ſtate of cabinet politics at the period referred to.

Lord GODOLPHIN *to Mr.* HARLEY.

SIR, 10th Auguſt 1706.

I HEREWITH return the letters and papers you ſent me, with many thanks for the favour of your letter, and your being ſo particular in the matter upon which I deſired your thoughts, tho' I differ in opinion. I think the matter of elections was but a pretext taken in the laſt ſeſſion[18]; there was an Hardwicke Papers.

[18] He probably refers to the notorious partiality and injuſtice relative to queſtions of contraverted elections, which took place, under the auſpices of the preſent miniſters, and gave great offence to perſons of probity and honour of every party.

averſeneſs

averſeneſs at bottom to do any thing that they thought would give merit to the whigs, tho' it was and is a demonſtration, that without them and their being entire, the Queen cannot be ſerved; but the leaning to what I take to be an impoſſibility will, I doubt, make them jealous and uneaſy, and at beſt but paſſive; the conſequence of which is, that the majority will be againſt us upon every occaſion of conſequence. I hope, however, the Queen's ſervice will go on, and for myſelf I am as little concerned as one need to be upon ſuch an occaſion, but I am not blind nor aſleep.

The Topics you mention would not hurt us alone, if there were not a preparation to make thoſe uneaſy and jealous, from whom only we can have or hope for any friendſhip [19].

I think you do very well to have a watch upon Robinſon, as to the affair of Mr. Clement I ſhall be Saturday night at London, ſo I beg it may be deferred till then.

I wiſh the convoy might be diſpatched that is to bring over the D. of Marlborough.

(Signed) GODOLPHIN.

N° XV.

LETTER *from Mr.* HARLEY *to Lord* GODOLPHIN.

MY LORD, Brampton, 15th Auguſt 1706.

Hardwicke Papers.

I RECEIVED this morning the honour of your Lordſhip's letter of the 10th (I arrived here but laſt night late,) with other letters from London. I received a private letter from the D. of Marlborough, with one encloſed from the Elector of Hannover to his Grace, which I ſend herewith to your Lordſhip. The public letters are delivered to Mr. Secretary Hedges, who, I doubt not, hath attended your Lordſhip with them. Your Lordſhip may pleaſe to remember that Mr. Schuts ſaid, there was no ſuch treaty deſigned by his maſter, as the King of Pruſſia would ſet on foot; and that it was only a tentative of that court to fiſh out the inclinations of the Queen and the Elector, and to ſet on foot ſome ſort of negociation with Sweden, by which he might get ſomething [20].

[19] Lord Somers and lord Halifax are, I think, the perſons whom he has in his view; they were, for ſome conſiderable time, exceedingly jealous of the duke of Marlborough and the earl of Godolphin, becauſe they had been originally Tories, though they now found it to be their intereſt to diſclaim their former principles, and coaleſce with the Whigs.

[20] The king of Pruſſia was never out of a plot for extending his own power and intereſt.

As

As to the other particulars the Duke mentions, about the treaty for the ſucceſſion and the barrier, as alſo for guaranteeing the peace, I wrote as fully as I could to my Lord M. Thurſday ſen'night; and think mentioned the ſame to your Lordſhip, that I humbly conceive theſe treaties ſhould be finiſhed as ſoon as poſſible, as alſo the affair of the miniſter, for thoſe two points are made uſe of by the ill intended in Holland to the prejudice of England; the project Lord Halifax brought over I have left ſealed up with Mr. Lewis [21], who will bring it to your Lordſhip whenever you will pleaſe to command it. I think the objections my Lord Halifax makes to the barriers being too generally expreſſed, and that it ought to be more particularly ſpecified, are very juſt; but if they are obſtinate in it under pretence they cannot decently particulariſe places which are not in their power, I humbly propoſed to my Lord Duke to conſider whether that matter might not be accomodated by putting the particulars into a ſecret article. But I doubt not his grace will find out a proper method to ſettle that point.

As to home affairs, what I wrote to your Lordſhip was in the ſincerity of my heart, and what I could collect from my converſation with both parties, and of which I am at any time ready to give your Lordſhip the particulars: but far be it from me to eſpouſe any opinion of my own, or to differ from your Lordſhip's judgement. I ſhall always be ready when required, and never but then, to give my poor thoughts and ſuch reaſons as I have, and when I have done that, I know myſelf too well to be fond of any notions of my own, with that attachment to your Lordſhip and Lord Marlborough which I ſhall always preſerve.

The reaſon I mentioned Elections in my letter was becauſe the occaſion of ſtumbling is in a great meaſure removed, and from the little experience I have had, the attempting to bend every body in one meaſure in the affair hath proved one of the greateſt means of ruining the expectation of that party which hath attempted it, and I have often ſeen the foundation laid of blowing up each of the factions by that very method; and the reaſon is plain, for thoſe very Gentlemen who think themſelves to be independent, and would be thought to be ſo, but yet would ſupport the Queen and ſerve her miniſters, expect their compliance therein ſhould be accepted, and that they ſhould be left to themſelves in perſonal friendſhips and matters which I will always think remote from the government obſervation, and that if they vote for the public ſervice of the government and ſupport the miniſters, more ought not to be expected of them: indeed I have not been able to anſwer them when they have ſaid, why ſhould not every body's ſervice be accepted of as far as they will go, and it is not

[21] He was under-ſecretary of ſtate.

impoſſible

impoſſible but one ſtep may draw on another; this I am certain, that many of the moſt ſtaunch whigs (not whimſical) have and do frequently lament the fury of their leaders, and have rejoiced when their preſumption was humbled; and to uſe an expreſſion of one of them, that if they were gratified in all they deſire they would immediately be undone. I am very far from making them jealous, I did not mean their places ſhould be given to others, but I was humbly of opinion, that whoever would come in a Volunteer to the Service ſhould be accepted as far as he would go, and I am the more confirmed in the opinion, becauſe thoſe who call themſelves whigs, if united, are the inferior numbers, and that they will not follow thoſe who make themſelves their Leaders, but yet may be united in the Queens ſervice by her miniſters, and yet at the ſame time they would make every one elſe deſperate; nay to uſe the words of one of themſelves, they have at preſent a great many, who never differed yet from them, and as to thoſe who came unto them, ſome whereof have ſurrendered themſelves and gave elections to them and laid themſelves at their feet, and yet they will not be contented with them and every one who have helped to reſcue them from the malice and rage of their adverſaries; and to make them a majority, have been made ſenſible, that all that went for nothing, and they were told more than once or twice expreſsly, that they hoped in a little time to caſt them off and do without them. I have with grief obſerved that the leaders (or zealots rather) of both parties are frequent even now in their reflections on the Queens miniſters, I mean your Lordſhip and my Lord M. I cannot but apprehend danger from both ſides in the extreme, and therefore am humbly of opinion to increaſe the number of thoſe, who would devote themſelves to the Queens and your ſervice, would be the beſt, and I the rather mention this becauſe ſo many have been lately obliged to pay their acknowledgements to, and real dependence, on other people; as to myſelf I have made all the application imaginable to thoſe who would be thought the chiefs of their faction, and there is nothing I will not do for the Queens ſervice and the ſupport of her miniſters; neither would I have troubled your Lordſhip with this long ſcribble, but that your Lordſhips indulgence has encouraged me to tell you the truth & what you may, when you pleaſe, have confirmed from the mouths of thoſe of that very party who have no little intereſt in both houſes[22]: And now I have ſaid this, I believe your Lordſhip will be ſo juſt to me as to be aſſured I have no meaſures, nor will have any, but what ſhall be ſubmitted

[22] Mr. Harley's political conduct was perfectly agreeably to the principles which he profeſſes, and the advice which he propoſes in this letter. His moderation and miſcellaneous connections promoted his views in aſpiring at the office of prime miniſter; but ſoon diſobliged his colleagues and weakened his authority, after he had arrived at that dignity.

mitted to the teſt of your better judgement, and that you will have the goodneſs to impute it to my zeal, when I cannot forbear ſaying that this enſuing ſeſſion may be made very eaſy or difficult by either giving or ſparing a few good words, without any further engagement, than to let thoſe who are not ſtigmatized by any particular folly, know that they need not be deſperate. I have now tired your Lordſhips patience with my impertinence, and will add nothing more than that having ſhot my bolt, there remains nothing further for me than to obey your commands. &c. &c.

N° XVI.

LETTER *from Mr.* HARLEY *to Lord* GODOLPHIN.

Septr 10th 1707.

As to the laſt paragraph of your Lordſhips letter, I crave leave moſt ſolemnly to profeſs to you, that I have made it my ſtudy to ſerve the Queen upon an honeſt principle, that I have no attachment to any other perſon in the world but your Lordſhip and the Duke of Marlborough. I know of no enemy I have, but ſuch as either have expreſſed themſelves with equal bitterneſs againſt both your Lordſhips upon many occaſions, or are ſo to me becauſe of my adherence to you. I am too well acquainted with the practiſes of a ſort of people who wound thoſe they don't like in the dark, and by whiſpers and ſecret miſrepreſentations would ruin the reputation of any one they do not fancy; I know your Lordſhip is too juſt to admit of any inſinuations of that kind, and I am ſo little fond of ſtanding in any ones way, that any endeavours of that ſort give me no diſquiet, becauſe they depend upon your Lordſhips goodneſs to let me know when I am thought a burden to the ſervice or uneaſy to any one, and the leaſt hint of that nature ſhall meet with a very ready compliance in me by a willing retreat [23]. Hardwicke Papers.

As to joining in meaſures, it has been my endeavour to give demonſtrations that I have been very far from being pertinacious in my own opinion. I am not fond in giving it and am no ways concerned if it do not take. I had much rather be directed than not, and ſhall never be inquiſitive to know any thing but how to do my duty. It has always been my temper to

[23] Mr. Harley, as appears from this letter, had already fallen under the ſuſpicion of the Whigs, but he was conſcious, that he could not yet make good his independence; and he wiſhed to lull their ſuſpicions, and divert their reſentment till the queen was fully determined to change the miniſtry.

go along with the company and not to give them uneaſineſs; if they ſhould ſay Harrow on the Hill or by Maidenhead were the neareſt way to Windſor I would go with them, and never diſpute it if that would give content, and that I might not be forced to ſwear it was ſo. I am very ſincere, and find in what I told your Lordſhips in my former letter upon this ſubject that I had been and would be entirely under your direction, and whatever is inſinuated to the contrary I never have acted upon any other foot. I am ſatisfied to a demonſtration there can be no other centre of union but the Queen, by the miniſtration of your Lordſhips and the Duke of Marlborough, and there the bulk of the nation will fix themſelves if they may be ſuffered. All other expedients are very wretched things and will end but very ill, and I dread the thoughts of running from the extreme of one faction to another which is the natural conſequence of party tyranny; and renders the government like a door which turns both ways upon its hinges, to let in each party as it grows triumphant; and in truth it is the real parent and nurſe of our factions here. It is time to relieve your Lordſhips patience and beg pardon for this tedious letter, and with all to deſire leave to aſſure your Lordſhip that you have not a more faithful ſervant, nor a truer or more zealous friend than myſelf to the utmoſt of my capacity. &c.

N° XVII.

LETTER *from Mr.* HARLEY *to Lord* GODOLPHIN.

Septr 17th 1707.

Hardwicke Papers.

I AM very ſenſible how much too far my zeal for the ſervice hath carried me formerly to trouble your Lordſhip with tedious letters; I no more will offend in that kind. If you will pleaſe to add this fault to my other errors, for I cannot forbear juſt telling your Lordſhip how uneaſy I am under the charge of doing any thing againſt your intereſt. I was provided againſt any other attack, but this which ſtrikes me in a moſt ſenſible part is a fault, which both friends and enemies will acquit me of: However I muſt arm myſelf with patience, a little time will clear me from this aſperſion, and I learn this, that it is no more in a mans power to deviſe the methods by which he is to be put out, than it is to forſee how he is to come in. I have done nothing, but it is a juſtice I owe to myſelf, to let your Lordſhip know I have told you nothing but truth; I ſcorn to deny any thing I have done, and if I had ever, directly or indirectly, by myſelf or any other, recommended

thoſe two perſons [24] I am not ſo mean as to deny it which I moſt ſolemnly do.

I have no more to add but moſt hearty wiſhes for your Lordſhips proſperity and ſucceſs you can never have a more ſincere friend and ſervant tho' I am deemed now unprofitable and uſeleſs. &c. &c.

N° XVIII.

LETTER *from Mr.* HARLEY *to Lord* GODOLPHIN.

Decr 5th 1707.

I HUMBLY beg that I may have leave to wait upon your Lordſhip this evening at your houſe at 8, having ſome account to give you which I think in duty to your ſervice I ought to acquaint you with; and I ſhould be very glad my Lord Duke of Marlborough were preſent. I hope your Lordſhip will this once pardon the trouble I give you. &c. &c. Hardwicke Papers.

N° XIX.

LETTER *from Lord* GODOLPHIN *to Mr.* HARLEY.

Decr 5th 1707 Friday evening.

I SHOULD be extremely ſorry if I were capable of giving occaſion to any body and much more to you to write me a letter in ſo very extraordinary a ſtile as yours ſeems to me, however if you have any commands to me I will be at home between 8 and 9 this night to receive them, and ſend to the Duke of Marlborough to meet you there [25]. Hardwicke Papers.

[24] The queen had reſolved to beſtow the biſhopric of Exeter upon Dr. Blackwell, and that of Cheſter on Sir William Dawes. The miniſters were diſatisfied with her choice, becauſe, though both poſſeſſed great profeſſional merit, their political principles were ſuſpected. As Mr. Harley was known to have ſecret interviews with the queen at this time, his recommendation was ſuppoſed to have influenced her opinion in the promotion depending.

[25] The irreparable breach between the Whigs and Mr. Harley, and the diſmiſſion of the latter from the cabinet, quickly followed this interview.

N° XX.

LETTER *from Mr.* HARLEY.

January 30th 1707-8.

Hardwicke Papers.

LAST night Mr. Attorney acquainted me that I was fallen into your Lordſhips diſpleaſure, he would not tell me any particulars. This I could not but receive with the utmoſt grief, and had it not been ſo late I had given your Lordſhip the trouble of a letter to deſire leave to wait upon you to clear myſelf. This morning my Lord of Marlborough gave me permiſſion to attend him upon a like occaſion, and his grace was pleaſed to tell me the particulars. I know it is impoſſible to ward againſt miſrepreſentations or miſconſtructions, or the application of things ſaid generally, to a particular purpoſe, which was never thought of; for I do ſolemnly proteſt, I never entertained the leaſt thought derogating from your Lordſhip or prejudicial to your intereſt. I am confident in my own innocency, and I know no better way to clear myſelf than to deſire your Lordſhip will let me by my actions demonſtrate the ſincerity of my intentions and my zeal and duty for your Lordſhips perſon and ſervice. &c. &c.

N° XXI.

From Lord GODOLPHIN *to Mr.* HARLEY.

Hardwicke Papers.

I HAVE received your letter and am very ſorry for what has happend, to loſe the Good opinion I had ſo much inclination to have of you; but I cannot help ſeeing and hearing nor believing my ſenſes. I am very far from having deſerved it from you. God forgive you. &c. &c.

N° XXII.

☞ The Duke of Buckingham, formerly Lord Mulgrave, was a friend to the revolution, but ſoon entered into oppoſition to the court, and continued in it through the reign of king William. He was diſtinguiſhed for eloquence and force of argument. Burnet, vol. iv. p. 200. He headed the Tories in the enquiry concerning the partition treaty 1701, and oppoſed the nomination of the princeſs Sophia, in the bill for extending the proteſtant ſucceſſion. Id. vol. v. p. 503—525. At the commencement of this reign he was made lord privy ſeal, and afterwards created duke of Buckingham; and diſmiſſed with the tory miniſters, (31ſt March 1705,) from which period he became a keen oppoſer of the court, till the change of the miniſtry in 1710, when he again came into place. Burnet, 1097. The following Letters are publiſhed on account of the diſtinguiſhed character of the authors, and their reference to the ſtate of parties, and the political debates at the period to which they refer.

LETTER *from the Duke of* BUCKINGHAM *to the Duke of* SHREWSBURY.

MY LORD, Novr 13th 1707.

I WAS very glad of receiving your favour ſo ſoon, and eſpecially for finding in it no more complaints of your late indiſpoſition, which therefore I hope is quite gone. I am ſure the obſcurity, you mention, can only be my fault, tho' committed by overcaution becauſe of the poſt; and now to clear it in plain words, it was taken for granted at the beginning of the ſeſſion, that the court and low church men were fallen out[26]; which was confirmed by none of the latter having taken the leaſt notice of the Speech according to the accuſtomed compliments; and their putting the houſe ſometime afterward upon a day for conſidering the ſtate of the nation, in relation to ſo Shrewſbury Papers.

[26] This probably alludes to the effects which were then expected from Mrs. Maſham's intrigues.

many

many miſmanagements, both as to the navy and trade. But after the ſuitable expectation of ſuch a debate, it ended without the leaſt reflection on any body, much leſs of the miniſtry, unleſs from Lord Haverſham alone[27]. There can be little doubt of what was preſently ſurmiſed without doors concerning the reconcilement, or rather reſettlement of the former union[28], of the ſmall laſting of which I gave you my opinion, and accordingly wiſhed a firmer reconcilement between thoſe of H. Church and L. Church, who deſired only the public good as we did. And truly, if it were not too good a thing to be hoped for, yeſterdays debate appeared like a beginning of it, by many good orders and addreſſes directed in the houſe upon the ſpeeches of Several, without any oppoſition between Some, who are not wont of late to agree ſo well[29]. I have now erred too much on the other hand, being tedious in ſpeaking plainly with one who may ſafely and will (I hope) uſe me as freely. I am

MY LORD

Your Graces faithful and obedient Servant

BUCKINGHAM.

[27] Mr. Thomſon had been a member of the houſe of commons, during the reigns of Charles II. and James II. and acted conſtantly in oppoſition to the court. He was one of the firſt that ſigned the aſſociation inviting the prince of Orange to come over into England. He was created Baron of Haverſham, in one thouſand ſix hundred and ninety-ſix, and made one of the lords of the admiralty, in which office he continued till the earl of Pembroke was made high admiral, March one thouſand ſeven hundred and one; after which he warmly oppoſed the king's meaſures. At the beginning of this reign he wiſhed to make his peace with the court, but not being immediately taken into office, or attended to as he thought he deſerved, he devoted himſelf with vigilance and aſſiduity to impugn the meaſures of adminiſtration, and was ſometimes alone, as in this caſe, in oppoſition. He printed and circulated all his ſpeeches, which were elaborate and virulent. Though he voted with the Tories in the caſe of Dr. Sacheveral, he does not appear to have been in their confidence, nor deſtined for any office in the new adminiſtration. He died on the firſt of November one thouſand ſeven hundred and ten, regretted by neither party, for the Whigs hated him, and the Tories were apprehenſive that he would carp at them as he had done before at their antagoniſts. Political State, vol. i. p. 21.

[28] Between the queen and the whig junto.

[29] When the queen's ſpeech was conſidered, 12th November one thouſand ſeven hundred and ſeven, the lords, as has been obſerved, inſtead of voting an addreſs, immediately entered upon the ſubject of grievances. The earl of Wharton and lord Somers were on the ſame ſide with the duke of Buckingham and the earl of Rocheſter.

N° XXIII.

☞ The following Letter is a Scroll in anſwer to the above, in the Duke of Shrewſbury's hand, but not ſigned.

MY LORD,

MY miſunderſtanding your Letter proceeded in part from the caution you mentioned, but more from ignorance of what is tranſacted above; I have a great neighbour I ſee once or twice in a winter, he talks with ſome freedom with me, and I with him, otherwiſe I have little correſpondence with any who give me any light into public affairs, and as little curioſity to know them, your Grace will believe I am ill enough entruſted[30]. I am very much inclined to think the reunion you mention will not be extreme laſting, and that nothing is more deſirable for the good of the public, than that men of moderation ſhould be employed, ſome of that character are already in places of the greateſt importance, and it were well if there were more, I am ſure I wiſh it, and ſhould readily contribute to it, if I knew how, but confeſs I cant ſee how a man ſo retired as I, can be uſeful in bringing it about, without changing the whole courſe of my life, with which I am at preſent ſo perfectly well contented that I ſhould be very unwilling to do it; I ſpeak with great plainneſs and ſincerity in this particular, as I do when I profeſs myſelf, &c. Shrewſbury Papers.

N° XXIV.

LETTER *from the Duke of* BUCKINGHAM *to the Duke of* SHREWSBURY.

MY LORD, Dec. 1, 1707.

IF my Letters had been of any uſe to your building, you would have received my thanks for your laſt favour before now, and if they might contribute to your health, I ſhould not fail a poſt. But dull and uſeleſs as I am, a check upon myſelf is neceſſary, for fear of being troubleſome; tho' I flatter myſelf with thinking inclination is not quite ſo much in danger of Shrewſbury Papers.

[30] The duke of Shrewſberry was chagrined on account of his not being in the confidence of miniſters.

being

being unwelcome in Old friends as in Old miſtreſſes. At leaſt the uncommonneſs of it now adays is enough to keep it from being undervalued: and therefore, after this preamble, I will take the liberty to mind you of our laſt diſcourſe at our very laſt parting, when you offered the pains and care of any mediation between parties, if ever there appear'd as much opportunity as we both thought there was reaſon for ſuch a mediation. Now I muſt own, believing ſo public a good likelier to proceed from the zeal and induſtry of the two moſt moderate men on both ſides [31], than from either the juſtice or the wiſdom of ſo good a work, not to mention the very neceſſity of it to prevent the public ruin, which I am ſure you foreſee much better than I. I know one objection to this is obvious, that the union between the court and ſome others ſo lately reſettled, will make thoſe others ſlight any new friends: But 1ſt, that is ſuppoſing they would not be helped even by enemies for public good (which is inexcuſable) and then beſides, it would be imagining, that the preſent union can continue, between thoſe who have all the power and others, who deſire and expect it; which I conclude with every body elſe to be abſolutely impoſſible.

If all this ſeems only a day dream, pray do me the juſtice to believe it proceeds from two things; one is an earneſtneſs of being inſtrumental, at all, of any advantage to my country, and the other is a ſettled reſolution not only againſt having any public employment, but alſo from a perfect aſſurance that it never can be either for my intereſt or honour [32]. I take this, to be very much your graces mind alſo; whoever is not of it being almoſt incapable for that part I propoſe for to act; and accordingly, I doubt it will not be eaſy for us to find many others ſo qualified, I mean as to diſintereſtedneſs which has occaſioned theſe thoughts.

I am ſure you will find nobody more ſincerely than myſelf,

MY LORD,

Moſt obedient Humble Servant

BUCKINGHAM.

The Ducheſs of Buckingham is your humble Servant, and we both deſire your grace to preſent the Ducheſs of Shrewſbury with our humble Service.

[31] Meaning lord Somers and the duke of Shrewſbury.

[32] His grace did not long maintain the ſame reſolution and opinion, for he accepted the office of lord ſteward of the houſehold in 1710, when the Tories were reſtored, and was afterward ambaſſador at Paris, and lord lieutenant of Ireland.

N° XXV.

LETTER *from Mr.* BOYLE *to the Duke of* MARLBOROUGH.

MY LORD 12th April 1709.

YOUR Graces letter of the 16th, which I had the honour to acknowledge, laſt fridays poſt, was read on Sunday at the Cabinet Council, where mons^r^ Buys politics of the diſmembering the Spaniſh monarchy, and continuing the conferences with mons^r^ Ruillè, were thought very diſagreeable, and, at the ſame time, the difficulties, which the ſtates have among themſelves, of adjuſting their own barrier are thought very unaccountable. It is pretty remarkable, that, while the ſtates are graſping at ſuch an extent of Country, ſo many ſtrong Towns, and ſuch large revenues for their own ſecurity, they ſeem more cool and negligent in taking care of their friends, and it is no wonder, in ſuch a ſituation, that France is willing to gratify them in all points at the expence of the reſt of the Allies. Townſhend Papers.

As long as the negociations in Holland remain as they are, I ſuppoſe there will be applications to her majeſty from every Prince, and State, concerned in the grand alliance, about their particular intereſt, which makes it more deſireable and neceſſary, that the States ſhould immediately agree with their principal Allies upon ſuch preliminaries as are neceſſary for the foundation of a good and laſting peace, and then let the french know upon what terms they will treat. The account of mons^r^ Roullie's new inſtructions from France, and the conferences upon them, will be impatiently expected by the next poſt. &c.

N° XXVI.

LETTER *from Mr.* BOYLE *to Lord* TOWNSHEND.

MY LORD 15 July 1709.

I HAVE laid before the queen your Excellency's letter of the 19th, and her majeſty thinks ſhe had reaſon to expect that De Torcy's letter ſhould not have been anſwered, till her majeſty's thoughts upon it had been known, that ſo Townſhend Papers.

the ſentiments both of England and Holland might have been expreſſed at the ſame time, upon ſo nice a ſubject, and of ſo much conſequence; and her majeſty was the more induced to hope for this deference from the States, ſince, as your Excellency may obſerve, ſhe often adviſes with them upon matters of great concern, before ſhe takes a final reſolution. I muſt own to your Excellency, that her majeſty would not have agreed to the penſionary's anſwer to De Torcy, becauſe it ſhews too great a deſire to treat with the French after their late uſage of the Allies, and the little encouragement they now give in this letter, to expect more candour from them for the future, and it is moſt certain, that it is not the way to have a ſpeedy and laſting peace, to let the enemy believe you ſtand in great need of it. Whenever the negotiations ſhall be renewed, it is moſt probable, that the greateſt difficulty will conſiſt in the ſecurity to be given for reſtoring the whole Spaniſh monarchy to the Houſe of Auſtria, and particularly for evacuating Spain, in which caſe it will be neceſſary to inſiſt among other things, that Cadiz, Alicant, Lerida Tortoſa, Roſes, Pampelona and Badajox be immediately put into the hands of the allies, which for the moſt part is in the French King's power to do, and will be ſome mark of the ſincerity of his intentions. It is by the direction of the Lords of the Cabinet Council, that I give your Excellency this hint, that you may make uſe of it when you ſee occaſion.

N° XXVII.

DR. Hare's letters to a tory member were conſidered by the friends of the miniſters, as containing a full vindication of their conduct, and for eſtabliſhing the allegation of the Whigs, that the failure of the peace was entirely owing to the inſincerity of Lewis. A few ſhort remarks upon the ſubſtance of theſe letters, may tend to corroborate the truth of the repreſentation which I have adopted.

The time of Rouillé's and Torcy's arrival in Holland is repreſented as a ſuſpicious circumſtance. They did not come there till the duke of Marlborough had left it, which was imputed to a deſign of taking advantage of the Dutch in his abſence, by making propoſals to which he would not have conſented; and ſowing diſſenſions among the allies. It may ſuffice to anſwer, that they came to Holland as ſoon as they were permitted. De Torcy expreſſes

expreſſes the utmoſt impatience for the duke of Marlborough's return to the Hague, becauſe he knew that the Dutch would come to no concluſion till they had conſulted him.

The conceſſions which the French agents made to the Dutch and Engliſh, and their demurring upon the demands of the emperor and the duke of Savoy, are mentioned as evidences of their inſincerity. They attempted again by this means to divide the allies. True—but that does not impeach their ſincerity in profeſſing a deſire for peace, nay, it was the moſt likely way to obtain it; for, if England and Holland had been ſatisfied, it would have been impoſſible for the emperor and the duke of Savoy to have continued the war.

The article, relative to the ceſſion of Spain, it is aſſerted by this author, put Lewis to the teſt, and demonſtrated his hypocriſy. Philip was entirely ſubject to the authority of his grandfather; why ſhould the latter have heſitated about ſurrendering the towns as ſecurities for a ſtipulation, which he could certainly perform if he choſe? It will be readily granted, that Lewis was averſe in his heart to the renunciation of the Spaniſh monarchy; and that he would have been well pleaſed, if Philip had been able to maintain his ground, and fight it out with the allies, after he himſelf had abandoned the field. But, ſuppoſe that he had no ſuch ſecret will, it is far from being a clear point, that he could overrule the inclination of his grandſon, and far leſs the opinions and prejudices of the council and grandees of Spain. They aſſuredly were determined to oppoſe the renunciation required of Philip; and, in what a critical ſituation muſt France have been, during the diſpute, diſarmed, denuded of her barrier towns on every ſide, and abſolutely at the mercy of enemies, whoſe inſolent and vindictive ſpirit knew no bounds of moderation. But to obviate the argument for Lewis's inſincerity, deduced from his rejection of the 37th article, it is ſufficient to obſerve, that as it would have been impoſſible for Philip, deprived of the ſuccour of France, to have maintained his ſeat upon the throne of Spain, ſo the ſecurities, demanded for his doing it, might juſtly be conſidered as an inſidious ſcheme for encroaching ſtill farther upon her dominions.

The notorious duplicity of Lewis, and the multiplied examples of his breach of former treaties, are urged as ſtrong arguments for diſtruſting him, notwithſtanding his ſolemn and repeated declarations of ſincerity at the commencement, and during the continuance of the negotiations. This argument proves too much: Lewis never could be truſted, therefore no treaty for peace could ever have been entered into. His ſincerity aroſe from neceſſity: he was in earneſt, becauſe his intereſt required him to be ſo. I may be afraid to come within the reach of the man, who has formerly com-

mitted violence upon my perſon, notwithſtanding his ſoliciting my company by courteous invitations and kind profeſſions; but if he is debilitated by natural infirmity, or bound in ſhackles, I have no reaſon for being afraid to approach his preſence and to converſe with him.

Preparations were carrying on in Spain for the war with greater activity than in any former campaign; nay, hoſtilities actually commenced there when the treaty was advancing. The allies never relaxed their preparations in any place, during the dependence of the treaty; and, if Philip attacked their army in Spain, it was neceſſary to fruſtrate their intention of attacking him afterwards to greater advantage with an augmented force.

With reſpect to what Dr. Hare further urges, in exculpation of the duke of Marlborough in particular, namely, that if the inſiſting upon the 37th article was wrong, the duke of Marlborough was not culpable for it, as it was known to all the world, that both houſes of parliament had addreſſed the queen to make no peace with France, without an entire reſtitution of the Spaniſh monarchy. The refutation of this apology for the duke is involved in the anſwers to the two following queſtions: 1ſt, Who procured this addreſs? was it not the whig junto, or the duke's friends, then in adminiſtration? 2dly, Was not the renunciation of the Spaniſh monarchy agreed to by Lewis, but rejected while the duke of Marlborough was upon the ſpot, and directed all the meaſures of the deputies, becauſe Lewis would not conſent to ſecurities, palpably repugnant to nature, to his perſonal honour, and the ſafety of his kingdom?

N° XXVIII.

☞ The following Letter from General STANHOPE to Mr. WALPOLE, while it contains a full account of the battle of Almanara, at the ſame time gives us an inſight into that diſagreement in opinion among the allied Generals, which injured the general cauſe in every quarter.

DEAR SIR, Camp at Almanara 31 July 1710.

Walpole Papers. THREE days after the date of my laſt to you, which went by Mr Craggs, our Succours joined us, upon which a Council being called, it was ſtrenuouſly urged by the Engliſh, Dutch, and Palatines, to march immediately

diately to Lerida, in order to force the Enemies to a battle, by cutting them off from that place; but the King and Marſhal Staremberg as ſtrongly oppoſed, and ſhewed themſelves determined not to venture any thing. Their pretence for not doing it was, that the Enemy's Army might get to Lerida, and paſs the river before we could be up with them, which afterwards proved to be otherwiſe, ſince they did not get over the river by twelve hours ſo ſoon as was pretended they would. Our next thought was to croſs the Segre at Balaguer, and puſh to get over the Noguera; to which purpoſe I was detached with Eight Squadrons of Dragoons, and a thouſand Grenadiers, with which I marched at midnight, and took poſt at Alfaras, on the Arragon ſide of the Noguera, at 6 in the morning of the 27th. The Enemy had commanded Ten Squadrons of their Horſe, a thouſand Grenadiers, and ſeven battalions of foot, to prevent our taking poſt; but, notwithſtanding they had much leſs way to march, the negligence of their commanding officer, the Duke of Larmo, made them come late, for we did not diſcover them till nine in the morning, and when they did diſcover us, inſtead of attacking us, they poſſeſſed themſelves of Almanara, a village on the Noguera, about two miles from Alfaras, where we were. About noon, our left wing of horſe paſſed the river, which I formed on a plain about cannon ſhot from the river, between which plain and the river, was a deep valley. By this time, the Enemys horſe came up apace, and formed before me about fifteen Squadrons, which I was going to attack, when the Marſhal came up and prevented me, ſeeming ſtill determined not to hazard any thing, Both Armies continued marching to get up, and about Six, all our Infantry had paſſed the river, and croſſed the valley I mentioned, and got upon the high ground behind our horſe. The Marſhal was preſſed ſeveral times to attack the Enemys horſe, which were before us, their foot marching at a great diſtance behind them, in the valley, where they could be of no uſe. About Six the Enemies having got up all their horſe, marched ſeveral Squadrons down a little hill behind us, upon which we all cried out ſhame, and I did earneſtly preſs the King that we might have leave to diſlodge them, which was at laſt complied with, but not till Sun ſet. I therefore marched to them with the left wing, which conſiſted of Twenty two Squadrons, which were formed in two lines, and a Corps de reſerve of four Squadrons, the ground we were drawn up in not allowing us to make a greater front. So ſoon as we began to move, the Enemies Squadrons, which had come down the riſing mentioned, retired to their line. When we got up that riſe with my firſt line, conſiſting but of ten Squadrons, we found the Enemy drawn up in two lines, the firſt of twenty two Squadrons, and the ſecond of twenty, with two battallions of foot betwixt their lines, and a brigade of foot on their right. I was therefore forced, ſo ſoon as I

came

came in preſence, to make a halt to get up ſome Squadrons from the ſecond line, the ground where the Enemies were being ſo much wider than that which I had marched from; beſides that getting up the hill had put our line in ſome diſorder. The Enemies were ſo good as to give us the time we wanted; we brought up ſix Squadrons, and put our line in good order; which conſiſted thus of ſixteen in all, ſix Engliſh, four Dutch, and ſix Palatines, Mr Carpenter & I were on the left, Mr Frankenburgh, the Palatine General, and Major General Pepper, on the right. So ſoon as we were thus formed, we attacked them, and by the Grace of God broke their two lines, which conſiſted of Forty two Squadrons; on the right, were their Garde du Corps, and other choice regiments, which did not do ill, but their left made no reſiſtance. I cannot ſufficiently commend the behaviour of all the troops engaged, which never halted till we had driven their horſe of the plain, beyond their Infantry which was in the valley, and if we had had two hours day light more, you may be aſſured that not one foot ſoldier of their Army could have eſcaped. The night gave them an opportunity to retire to Lerida, which they did in ſuch confuſion, that they threw away their tents, loſt good part of their baggage, ſome of their cannon, and have continued ever ſince encamped within, and about the glacis of Lerida, The Duke of Anjou and all his generals were in the action. &c. &c. &c.

This event will, I hope, ſufficiently juſtify the earneſtneſs with which I urged to come to a battle, ſince only ſixteen ſquadrons of ours have defeated the Enemys Cavalry, on which they principally relied. We can ſcarce expect to have ſuch another occaſion of ending the war as has been miſſed twice in three days; the firſt time in not marching to cut them off from Lerida, and the ſecond time, in not ſuffering us to attack ſome hours ſooner as we had preſſed to do, and ſhould have ſucceeded with leſs hazard, the Enemies being much ſtronger when we attacked them than they had been when we firſt propoſed it. &c. &c. &c.

N° XXIX.

LETTER *from General* CARPENTER *to Mr.* WALPOLE.

SIR

Saragoza Augt 20. 1710 N. S.

Walpole Papers. THOUGH you may imagine I have not at preſent much leiſure, yet I would not omit giving you a ſhort account of a complete victory we have this day got near the town, attacking the enemy in a poſt of advantage. Tho'

Tho' equal in foot, & very much ſuperior in horſe, many of the laſt got off, but their foot are all deſtroyed, & their colours taken, as alſo all their cannon, ammunition &c and very little loſs on our ſide; Moſt of the loſs was of her majeſty's horſe, yet no conſiderable officer killed, this buſineſs & that of Almanara is entirely owing to Mr Stanhope, both for preſſing in council, & indeed forcing our march forward in order to action, & for the execution, his reſolution carried the day. All her majeſty's troops did well, & the officers; but no pen can do juſtice to Mr Stanhope, having hectored the court & Marſhal into theſe marches and actions, & then commanded himſelf the advanced body that paſſed the Cinga, as alſo the 16 Squadrons that beat the enemy that day, & now paſſed the Ebro with 2000 horſe and marched ſo near the enemy here, that the Marſhal could not avoid bringing up the army to him, which was abſolutely the occaſion of the battle, his march ſo near them was contrary to orders, being deſigned by the Marſhal to encamp at Burgo two hours hence, & then we could not have attacked them this day in their poſt, & the difficult ways to march to our place of forming, for tho' under Cannon ſhot all night we could not attack till noon. The king & Marſhal own the Queens troops got the day by the reſolution & conduct of Mr Stanhope.

It is abſolutely neceſſary for the Queens ſervice & ending the war, that the Queens troops be kept up here by recruiting them fully, that Mr Stanhope may ſpeak as boldly as he has done which has certainly got this ſucceſs.

I have not time to ſay more, only hope ſuch immediate meaſures may be taken for ſending theſe recruits, that they may be here before Chriſtmas, in order to be ſeaſoned for the country, ſo as to be effectually ſerviceable, for unleſs a general peace puts an end to the war, you cannot expect that the little army we have here can conquer ſo great a nation as Spain without a another Campaign.

I am Sir Your moſt humble & obed^t Servt

GEO: CARPENTER.

Major General Wade had a great ſhare in the ſucceſs of this day.

N° XXX.

☞ The following Extracts ſhew the anxiety with which the court of England entered into the intereſts of the Duke of Savoy; and how much they were diſſatisfied with the conduct of the Emperor in general.

THE hopes of an accomodation between the Emperor and the D. of Savoy ſeem to be removed to a greater diſtance than ever. That nothing may be left undone to procure the juſt ſatisfaction of an ally who has deſerved ſo well of the Common cauſe, & to make good the Guarantee in which her majeſty is, jointly with the States, engaged, the Queen has determined to renew, in the ſtrongeſt & moſt preſſing manner, her inſtances with the Emperor, for making effectual to the D. of Savoy the treaty of the 1703. Her majeſty thinks that a time ought to be ſet to the court of Vienna, upon this occaſion, to give their anſwer, in the hopes that the ſtates will concur with her in theſe meaſures, & directs your excellency to concert with them what may be properly done to oblige the Emperor, in caſe of refuſal, to Compliance. Letter from Mr. St. John to Lord Townſhend, 31ſt October 1710. MSS.

AS to the Emperor, your Excellency will perceive by my laſt how little her majeſty is ſatisfied with any part of his conduct. Upon the Diſputes with Savoy, and upon all other matters relating to the Common cauſe, he muſt be preſſed in another manner than he has hitherto been. Of this the Queen is ſenſible, of this we ſuppoſe the ſtates are ſo too, & her majeſty makes no doubt, but that your Excellency will be able to inform her how far they would be willing to concur with her, in obliging that court to alter a conduct, ſo little agreeable to what they owe to the Queen & the States, and ſo prejudicial to the Common cauſe. Letter from Mr. St. John to Lord Townſhend, 3d November 1710. MSS.

HER majeſty grows every day more ſenſible, that the whole turn of the affairs of the allies depends chiefly on the preſent negotiations at Vienna in reſpect to the diſputes with the D. of Savoy. Letter from Mr. St. John to Lord Townſhend, 13th February 1711. MSS.

Lord

Lord Townſhend, almoſt in every letter, mentions his diligence in complying with the inſtructions he had received on theſe points.

IMPRESSED with a ſenſe of her majeſtys anxiety to have all differences between the Emperor & the D. of Savoy terminated, I never have any diſcourſe with Sinzendorff, without reminding him of what importance it is towards preſſing France vigorouſly on all ſides, to bring the differences between the D. of Savoy & Hungary to an end. Letter from Lord Townſhend to Mr. St. John, 3d March 1711. MSS.

THE Griſons are ſo much diſſatisfied with the delays of the imperial court in redreſſing their Grievances, & putting in execution the conditions made in the treaty 1707 for the paſſage of the allies through their country, that they have taken a reſolution to ſhut up their paſſages, unleſs they have ſpeedy ſatisfaction in regard to their complaints. The ſtopping of the paſſage of the troops to Italy would be a great prejudice to the intereſt of the allies. You are deſired to preſs the matter on Count Sinzendorff, that the Imperial Court may apply a ſpeedy remedy for ſatisfying the juſt demands of the Griſons, which her majeſty is ſorry to find is not yet complied with, after the many inſtances ſhe has made both by Letters & by her miniſters on that ſubject. Letter from Mr. St. John to Lord Townſhend, 26th January 1711. MSS. The ſame inſtructions are repeated by Mr. St. John, 30th January 1711. In return he writes, that he had had a converſation with Sinzendorf about the Griſons, who had threatened not to permit the troops of the allies to paſs through their dominions, till the Emperor fulfilled his engagements made to them by the treaty 1707; that Sinzendorf had promiſed fair, but he had little hope of ſucceſs. Letter from Lord Townſhend to Mr. St. John. Hague, 17th February 1711. MSS.

GERMAN brutality makes this country & all Italy at the diſpoſal of thoſe who can give them the proſpect of any eaſe & deliverance. Letter from Lord Peterborough to —— ——. Venice, 12th January 1712. MSS.

AS to the command of the troops of the neutrality, no perſon is inclined to give it to the Prince royal of Pruſſia, becauſe that court has ſo many pretenſions, & is apt on all occaſions to exert them. Count Wertherem, the Poliſh miniſter, has told me in confidence, that it would not be agreeable to his maſter, being apprehenſive that his Pruſſian majeſty might make uſe of ſuch an opportunity to poſſeſs himſelf of ſome places to which he pretends a

right & he particularly named Ellin. Letter from Lord Townſhend to Mr. Boyle, 9th September 1710. MSS.

HE, (Lord Townſhend) has declined accepting two Pruſſian batallions to ſerve as part of her majeſtys quota in the army deſtined to ſupport the neutrality, becauſe the more troops the King of Pruſſia has employed in this ſervice, the better pretenſions he will think he has to inſiſt upon giving the command to his ſon, of which the Poles & Muſcovites were very jealous, & are by no means inclined to make the prince royal their General. Letter from Lord Townſhend to Mr. Boyle, 23d Sept. 1710. MSS.

THE Queen is very ſorry to find herſelf tied down by promiſe to a proportion of 70,000 Crowns which the King of Pruſſia inſiſts upon, for this as well as next year. Her majeſty will not be very haſty in making good this article, but will reſerve it as a douceur to ſoften this Prince in the diſputes, which, according to cuſtom, we muſt expect, before the end of winter to have with him. His reſident Bonet put into my hands a few days ago a memorial upon the deciſion of the court of the province of Guelder in the ſuit depending for the province of Loo & Dieren. He preſſes her majeſty to intereſt herſelf in this affair, & threatens, unleſs it be determined in his favour before the end of winter, to recall his troops & break them, for repeopling his country. Letter from Mr. St. John to the Duke of Marlborough and Lord Townſhend, 22d December 1710. MSS. In anſwer to this letter, Lord Townſhend writes that he had diſcourſed, as from himſelf, with ſome of the members of the ſtates about the meaſures taken by the king of Pruſſia upon the deciſion of the Court of Guelders in the ſuit relating to the Lordſhip of Loo & Dieren, & of the ill effects his majeſty's reſentment might have in the Common cauſe, but found there were no hopes of the ſtates being prevailed upon to interpoſe in that affair, it being a matter of private right, ſubject only to the laws & ſentences of the courts where it had been tried, & the reſpective provinces being very tenacious of their priviliges in ſuch caſes, the ſtates General never interfere with the judiciary proceedings of any particular province, in caſes of property. Letter from Lord Townſhend to Mr. St. John. Hague, 19th January 1710. MSS.

I COULD not expect any other anſwer about the affair of Loo & Dieren than what your excellency writes on the 19th, nor do I ſee how the Queen can interpoſe with the ſtates to influence judges in the deciſion of cauſes which concern private property, & belong to the determination of a particular province according to their ancient rights & privileges, but we muſt

muſt contrive to give Mon^r Bonet as civil & ſoftening an anſwer upon his memorial as we poſſibly can, & endeavour to mollify the violent humour of diſaffection which the king of Pruſſia is wont to ſhew. And, in ſuch an anſwer, your excellency will eaſily imagine that we muſt ſay, that the Queen will uſe her good offices with the ſtates in that matter, & endeavour, by her inſtances, to induce them to make his pruſſian majeſty eaſy as to theſe pretenſions. Letter from Mr. St. John to Lord Townſhend, 5th Jan. 1711. MSS.

THE king of Pruſſia is very impatient to have the diſputes between him & the Prince of Friſe, concerning the ſucceſſion of the late king, terminated. If that difference is not determined, he has declared that he will let none of his recruits march for his forces which are in the ſervice of the allies. This uneaſineſs of temper in that king ought to be ſoftened as much as poſſible, & his inclination to be in a very ill humour, timely diverted. Letter from Mr. St. John to Lord Townſhend, 16th February 1711. MS.

N° XXXI.

LETTER *from the Duke of* MARLBOROUGH *to Mr. Secretary* ST. JOHN.

SIR Camp at Vergier 6th Augt 1711.

YOU will have ſeen by my former letters I have been for ſome time meditating the paſſage of the Enemies lines, 'twas with that view I marched from Cote to Rebreuve and Viler Brulin, to draw the Marſhal Villars with all his Troops that way, while I was taking meaſures to paſs on this ſide, having to that purpoſe left a good garriſon at Doway & a detatchment of Horſe and foot with our Baggage, near Bethune. Theſe with five Battalions I drew out of Little Tournay & St Amand, formed a Corps of twenty three Battalions & 17 Squadrons, who rendevouſed on Tueſday in the evening near Doway, under the command of General Hompeſch, where Mr Cadogan & Lieutenant General Marray likewiſe joined them: when it began to be dark, theſe Troops marched to Arleau, and paſſed at break of day without any oppoſition. The whole army marched likewiſe this way as ſoon as it was dark, and about nine in the morning, I joined our detatch- Hardwicke Papers.

ment with the Horſe of the left: the reſt of the army followed, and, after marching 24 hours with great chearfulneſs, and without halting, were all paſſed laſt night & as they arrived drew up in order of Battle.

The Marſhal de Villars ſoon took the alarm, and marched likewiſe with great diligence moſt part of the night, hoping to have prevented us. Almoſt as I got hither, he appeared with the head of his army, and immediately put a hundred Dragoons into the Caſtle of Oiſy, a muſket ſhot from the place, who were all made priſoners, & apprehending we were already too ſtrong for him to attempt any thing with the Troops he had with him, he encamped at Marquion, where he has his quarters within half a league of part of our Camp, extending himſelf from thence towards Cambray, having a Rivulet and a Moraſs between us. He gave out he would attack us this morning, which made me defer writing till this afternoon,—I had the army drawn out to receive him, and it were to have been wiſhed he had done it, ſince we are now ſtronger (by the detachments drawn from our garriſons & which muſt be ſoon ſent back) than 'twill be poſſible for us to be any part of the remaining Campaign. But I ſuppoſe he muſt expect orders from Court before he can attempt any thing.—This ſurpriſe will be the more mortifying, ſince you may remember the Marſhal, ſome time ago, aſſured the King he had taken ſuch precautions for preſerving his lines, & was ſo confident of his ſuperiority, that he offered to ſend a third detachment to the upper Rhine if it was thought proper.

I diſpatch this by Brigad' Sutton, by the way of Oſtend, to give her Majeſty the earlieſt account of our ſucceſs, and muſt pray leave to refer you to him, you may be aſſured, nothing ſhall be left unattempted that may tend to improve this advantage. If the Enemy decline a Battle which, in that caſe, it will be impoſſible for us to give, I deſign to beſiege Bouchain, in the mean time, this ſucceſs muſt give a great reputation to Her Majeſtys arms in all parts. I am &t.

MARLBOROUGH.

N° XXXII.

LETTER *from the Duke of* MARLBOROUGH *to Mr. Secretary* ST. JOHN.

SIR Camp before Bouchain 20th Augt 1711.

By my laſt of the 17th I acquainted you we had carried our line of Circumvallation down to the Senſet, whereby the Enemys communication with the Town was in a great meaſure cut off. They were ſtill working hard in the moraſs & had made a large Parapet with Faſcines guarded by 400 Granadiers, ſupported by the Brigade du Roi, and a little time after would have carried their work ſo far that it might have been difficult to have diſpoſſeſſed them, therefore I ordered them to be attacked the next morning by 400 Grenadiers of ours ſupported by Eight Battallions. Our men waded a great way up to the middle in water, and receiving their fire by which we had only five or ſix men killed or wounded, they continued advancing towards them, whereupon the Enemy quitted their Works and retired, ſo that the Communication with the Town is entirely cut off,—We have ſince been uſing all poſſible diligence in bringing up our Artillery and Ammunition for the Siege, great part of which is already near at hand, and I hope in two or three days we ſhall be in ſuch forwardneſs as to open our Trenches. Hardwicke Papers.

Finding a notion ſpread abroad that we omitted an opportunity of attacking the Enemy the day after we paſſed the Enemy's Lines, and which has, and always will be our principal view where it is practicable, I cannot but take notice to you, and pray you will lay before the Queen and my Lords the little grounds there is for theſe reports as well as the fallacy of the Paris Gazette of the 14th Inſtant, in the article from Cambray on this ſubject; and, that it might not make any falſe impreſſion on peoples mind, ſhould be glad ſome notice were taken of it in our Gazette at home, It is pretended a great rain hindered the two Armys from engaging the 6th. That we made uſe of the obſcurity of the night to paſs the Schelde, and that the Marſhal de Villars ſent the Compte de Broglio, to ſecure the Poſt of Denain; all which is ſo notoriouſly falſe, that we had not one drop of rain that whole day, tho' a great deal the night following.—We made our Bridges over the Schelde before noon, and at two in the afternoon the left wing of the army was on their march, and the greateſt part of the whole

paſſed

paſſed before night; We immediately poſſeſſed ourſelves of the Poſt of Denain with 300 men, where they have remained ever ſince without the leaſt attempt to diſlodge them. The day we paſſed the lines, Monſieur Villars appeared with the head of his Army behind the moraſs of Marquion, where he encamped that night, and the next morning continuing his march towards Cambray in four Columns, being covered by that moraſs, which begins at the village of Inchi, within a league and a half of Cambray, as his Troops paſſed this village, they formed to the right towards Cambray behind the villages of Sally and Rolencourts, and the hollow Roads and Precipices whereof that part of the Country is full, by which means his right flank was ſecured by the Town of Cambray, his center by thoſe villages and hollow Roads, and his left by the moraſs of Inchi—It not being practicable to attack him in this ſituation, we were obliged to haſten our paſſage of the Schelde to prevent the Enemy's doing it before us, which would entirely have defeated all the fruits we may hope to reap from the paſſage of the lines. I am &c.

MARLBOROUGH.

N° XXXIII.

LETTER *from the Duke of* MARLBOROUGH *to Lord* OXFORD.

MY LORD Octr 19—1711.

Hardwicke Papers.

I HAVE had ſo many marks of your Lordſhips friendſhip, and have ſo ſincerely endeavoured to deſerve a continuance of it, that I apply myſelf to you in the tendereſt part of it, and lay open my private griefs to you with the ſame freedom you allow me in what regards the public. There are two papers lately publiſhed on your ſide, and ſome copies are already got here, the tittle of one is Bouchain, and the other an anſwer to it[33]. I do not know whether

[33] After the change of the miniſtry, many ſcurrilous pamphlets were publiſhed againſt the duke of Marlborough. His military talents were diſparaged, and the paſſing the lines of Arleux, one of the moſt brilliant exploits of his life, was principally imputed to general Hompeſch. The ſiege of Bouchain was repreſented to have been purchaſed by the loſs of ſixteen thouſand men, and after all, of no more conſequence to the allies than a pigeon-houſe. Several anſwers to theſe were publiſhed; and one, particularly, under the title of Bouchain, or a Dialogue between the Medley and the Examiner, which reflected on the character of the duke's antagoniſts, and moſt ſeverely on that of lord Oxford. To this publication the duke alludes.

your

your Lordſhip looks into ſuch papers, and I heartily wiſh they had been kept from me. I am ſure you cannot hear of one without the other, and when I proteſt to you I am no way concerned in the former, I doubt not but you will have ſome feeling of what I ſuffer from the latter; as I have had all the reaſon in the world to be ſatisfied with every thing your Lordſhip has done in regard to myſelf, ever ſince I left you, and particularly your punctual remittances for the Troops. I have taken all occaſions to make my ſatisfaction as publickly known, as all the officers of the Army can bear me witneſs, and it is ſo much the more mortifying to find myſelf and family treated in ſuch a manner, when I had ſo much reaſon to hope the ſpirit from whence it proceeds was quite ſuppreſſed. I find it is inſinuated that the provocation came from that ſide, and from the pen of one that has been long near me[34]; but upon examination he has ſo fully cleared himſelf that I am perfectly ſatisfyed of his innocence, and nobody can wiſh more than I do that ſuch writings could be ſuppreſſed, but if they can't be, it is very hard, that, when any body will uſe my name, I ſhould be reviled in ſuch a manner. The authors of theſe papers, as well the one as the other, are not only my enemies, they are your's too, my Lord; they are enemies to the Queen and poiſon to her ſubjects; and it would be worth the while to make a ſtrict ſearch after them, that the puniſhment they deſerve may be inflicted upon them; but all the remedy, all the eaſe I can at preſent expect under this mortification, is that you, my Lord, would do me the juſtice to believe me in no way an abettor or encourager of what has given me a mortal wound; but I will endeavour to bear up under it, I have that conſolation from you, and as every thing elſe I could deſire from you has been hitherto granted before I could aſk it, I flatter myſelf you will not deny me this ſatisfaction, no more than that of believing me ever with the greateſt truth,

MY LORD,

Yours &c.

MARLBOROUGH.

[34] He probably means Dr. Hare, who was his chaplain, and had written many pamphlets in his defence.

N° XXXIV.

LETTER *from the Duke of* MARLBOROUGH *to Lord* OXFORD.

MY LORD Hague Novem^r 10. 1711.

Hardwicke Papers.

THE friendly part your Lordſhip took in the grievance I lately laid before you [35], gives me encouragement to have recourſe once more to your Lordſhip, in a matter differing from the former in its Circumſtances, but ſuch as neverthelefs gives me a very ſenſible concern. Upon my arrival here I had notice that my name was brought before the Commiſſioners of Accounts, poſſibly without any deſign to do me a prejudice: however to prevent any ill impreſſion it might make, I have written a letter to thoſe Gentlemen ſetting the matter in its true light, which Mr Craggs will deliver, and when you have taken the pains to read the encloſed Copy [36], I pray you will be ſo kind as to employ your good offices ſo as that it may be known I have the advantage of your friendſhip. No one knows better than your Lordſhip, the great uſe and expence of Intelligence, and no one can better explain it; and it is for that reaſon I take the liberty to add a further requeſt, that you will be ſo kind as to lay the whole upon ſome fitting opportunity before the Queen; being very well perſuaded, her majeſty, who has ſo far approved and ſo well rewarded my ſervices, would not be willing they ſhould now be publickly reflected upon when it would be ſo unjuſt and cruel to me: You ſee My Lord I make no ſcruple to give you a little trouble, which to a temper like yours rather increaſes than diminiſhes the pleaſure of doing a good office—I do therefore boldly claim the benefit of your friendſhip,

[35] In vindicating him from the calumnious aſperſions of which he complains in his letter, 19th October.

[36] In his letter to the commiſſioners the duke affirms, that the emoluments he derived from the contracts for bread would alone have been inadequate to the expences he incurred on account of ſecret ſervice, and that the two and a half per cent. deduced from the pay of the foreign troops in the Engliſh ſervice, was alſo faithfully applied for the ſame purpoſe. There is no branch of the public expenditure more neceſſary and important, in the time of war, than that which is laid out upon ſecret ſervice, but, from its nature, it muſt be difficult, often impoſſible, to eſtimate its amount, and to decide concerning the diſintereſtedneſs and fidelity of individuals who have been intruſted with the diſpoſal of it. If, however, ſucceſs is to be admitted as a proof of diſintereſtedneſs and fidelity, and it is the only one we can have in ſuch a caſe, the duke of Marlborough is fully entitled to the credit of theſe virtues. No commander was ever more ſucceſsful in procuring intelligence of the enemy's motions and deſigns, and to this the unparalleled good fortune of the allies, in the courſe of the war, may, in a great meaſure, be aſcribed.

and am ſo ſanguine as to expect the good effects of it, which I ſhall make it my conſtant buſineſs to deſerve. The endeavours of our enemies to deſtroy the good underſtanding between us will double mine to continue and improve it, & I now have the greater deſire to be at home that I may explain to you what I cannot ſo well write

I am &c.

MARLBOROUGH.

N° XXXV.

Subſtance of the Articles of the Treaty of Peace between GREAT BRITAIN *and* FRANCE.

1, 2, 3, THERE ſhall be a ſincere friendſhip between the two nations; that all diſcords and wars ſhall ceaſe; and all offences and injuries be buried in oblivion.

4. The French king acknowledges the act limiting the ſucceſſion to the kingdom of Great Britain; promiſes that no one beſides the queen herſelf, and her ſucceſſors, according to ſaid limitation, ſhall ever by him or his heirs be reputed king of Great Britain; and will take all poſſible care that the perſon, who had taken upon him the title of king of Great Britain, ſhall not at any time hereafter return into the kingdom of France, or any of the dominions thereof.

5. The French king promiſes, in his own name and that of his ſucceſſors, not to diſturb her majeſty, nor her ſucceſſors in the proteſtant line; nor to give any kind of aſſiſtance to any other perſon who ſhall hereafter oppoſe the ſaid ſucceſſion.

6. The French king engages, for himſelf and his ſucceſſors, to uſe all endeavours that the ſeparation of the French and Spaniſh crowns ſhall forever remain unſhaken and untouched.

7. A free uſe of navigation and commerce ſhall ſubſiſt between the two nations as formerly before the declaration of war.

8. The ordinary diſtribution of juſtice between the two nations to be revived according to the laws of each kingdom.

9. The French king promiſes to demoliſh the fortifications of Dunkirk within five months after the concluſion of the peace.

 10. The

10. The moſt Chriſtian king obliges himſelf to reſtore, to Great Britain, the bay and ſtraits of Hudſon, with the lands, ſeas, ſea-coaſt, rivers, and places ſituated in the ſaid bay or ſtraits; with the fortreſſes there erected, with all the cannon, &c.; provided, that the ſubjects of France have liberty to remove themſelves and their effects.

11. Satisfaction ſhall be given to the Engliſh company trading to Hudſon's Bay, for all depredations of the French in time of peace: and ſatisfaction ſhall alſo be given to the French, for any damage done them by the Britiſh ſubjects in time of peace.

12. The iſland of St. Chriſtopher's, Nova Scotia, or Acadie, Port Royal, or Anapolis Royal, with their lands and dependences, are entirely made over to Great Britain, in ſuch ample manner, that the ſubjects of France ſhall be hereafter excluded from all kind of fiſhing in the ſaid ſeas, bays, and other places on the coaſts of Nova Scotia.

13. The iſland of Newfoundland with the adjacent iſlands ſhall belong of right wholly to Britain: but the ſubjects of France ſhall be allowed to catch fiſh, and dry them on the land, in that part only of the ſaid iſland which ſtretches from the place called Cape Bonaviſta to the northern point of the ſaid iſland, and from thence running down by the weſtern ſide, reaches as far as the place called Point Riche; but the French ſhall not fortify any place in Newfoundland, or erect any buildings there, or reſort to the ſaid iſland beyond the time neceſſary for fiſhing. The iſland called Cape Breton, and all others in the mouth of the river St. Lawrence, and in the gulf of that name, ſhall belong to the French.

14. The ſubjects of France are to be allowed a whole year to remove themſelves and their effects from the places yielded to Great Britain; but thoſe who chooſe to remain may enjoy the exerciſe of the Romiſh religion as far as the laws of Great Britain allow.

15. The French, inhabiting Canada, and other countries in America, ſhall give no diſturbance to the five nations of Indians, ſubject to Britain, or to other natives of America, their friends; and the Britiſh ſubjects ſhall behave themſelves peaceably towards the Americans who are ſubjects or friends of France; and there ſhall be a free intercourſe of trade between the French and Engliſh, and the natives of thoſe countries.

16. All letters of mart and repriſal are to be made void; the petition of the injured perſons firſt to be ſhewn to the miniſter of either prince, &c.

17. The condition of the ſuſpenſion of arms, about reſtoring of goods taken, to ſtand in force.

18. The ſubjects of either crown who do any thing contrary to this treaty ſhall be anſwerable, and the peace not to be interrupted.

19. In

19. In caſe of another war between the two nations, ſix months ſhall be allowed to each for ſelling or removing effects, and retiring out of either kingdom.

20. Juſt and reaſonable ſatisfaction ſhall be given to the allies of Great Britain in thoſe matters which they have a right to demand of France.

21. The ſtate of religion ſhall be ſettled in the empire, conformably to the treaty of Weſtphalia.

22. Satisfaction ſhall be given to the family of Hamilton, the duke of Richmond, and Charles Douglas, as to their ſeveral demands in France.

23. Priſoners of each nation to be ſet at liberty.

24. The treaty between France and Portugal is confirmed, and her Britiſh majeſty takes upon her the guarantee of the ſame.

25. The treaty between France and Savoy confirmed, and the queen of Great Britain to be guarantee of the ſame.

26. The king of Sweden, the duke of Tuſcany, the republic of Genoa, and the duke of Parma, are included in this treaty.

27. The Hanſe towns are alſo comprehended in this treaty, and are to enjoy their ancient advantages in point of trade.

28. All thoſe ſhall be comprehended in this treaty, that are named by common conſent in ſix months.

29. Ratifications to be exchanged in a month.

30. In witneſs whereof, &c. the ambaſſadors extraordinary and plenipotentiaries of the two princes ſet their hands and ſeals.

Dated 31ſt March / 11th April } 1713.

Signed L. S. JOHN BRISTOL, L. P. S.
L. S. STRAFFORD.
L. S. HUXELLES.
L. S. MESNAGER.

The emperor ordered his miniſters to withdraw from Utrecht before the reſt of the allies ſigned the treaty; but it was ſtipulated by the contracting powers, that he ſhould be allowed to deliberate to the 1ſt of June, whether he would accede to it or not. A convention for the neutrality of Italy and the evacuation of Spain was executed 14th March, by her majeſty's miniſters, in behalf of the emperor, and by thoſe of France and Spain, for their reſpective maſters. Political State, vol. vii. p. 393—8. Her majeſty ſtruggled hard to obtain, by this convention, their ancient privileges to the Catalans,

but, upon their refuſing to transfer their allegiance from the emperor to king Philip, this article was left undetermined, reſerving to her majeſty a right to inſiſt upon it when the emperor ſhould treat of peace with Spain. Idem.

The plenipotentiaries of the four aſſociated circles of Germany gave in a memorial to the Britiſh miniſters, repreſenting, that they had entered into the confederacy upon the invitation of king William, and had incurred great expence and endured many calamities in proſecution of the war; and yet they now heard, to their unſpeakable grief, that a peace was to be concluded without any ſtipulation for indemnifying them, or ſecuring their barrier in future. The miniſters anſwered, that the evils of which they complained, were owing to the emperors having failed in his engagements to Britain during the war, and their own backwardneſs in not entering into the queen's meaſures for peace. Tindal, vol. ix. p. 462.

Some of the ſtates of Italy were alſo conſtrained to ſubmit to thoſe uſurpations of the emperor, from which they would have been extricated, had he acceded to the terms propoſed in their behalf by the French and allied plenipotentiaries at Utrecht. Barre, tom. x. p. 686.

It was deeply regretted by the friends of the reformed religion, that all the endeavours of the queen, the ſtates, and the king of Pruſſia, to meliorate the condition of the proteſtants in Germany, proved abortive. The ſeveral objects, purſued for this end during the negotiations, were, to obtain a repeal of ſome clauſes in the fourth article of the treaty between the empire and France at Ryſwick, which ſubverted the eſtabliſhed rights of proteſtants in the palatinate; to obtain leave for the French refugees to return to their own country and reſume their eſtates; and to procure a releaſe of thoſe, who had been ſentenced to the galleys merely on account of their religion. The French plenipotentiaries firſt evaded, and afterwards gave an unfavourable anſwer with reſpect to the two laſt of theſe articles; they expreſſed their willingneſs to conſent to the indulgence deſired for the German proteſtants, but as the emperor did not come into the peace, the fourth clauſe in the treaty of Ryſwick remained unaltered. It was unfortunate, that the ſanguinary ſpirit of ſome of the Engliſh ſtatutes, againſt the Roman catholics, afforded the French plenipotentiaries too ſpecious a handle for retorting, upon thoſe of England, the reproach of that ſeverity of which the foreign proteſtants juſtly complained. None of the confederates entered more anxiouſly into this buſineſs than the king of Pruſſia; and, upon the approach

proach of his death, which happened before the concluſion of the treaty, 22d Feb. he wrote a letter to the queen, requeſting, in the moſt affectionate terms, her attention to the intereſt of the foreign proteſtants. Hiſtory of the Treaty, p. 264. Tindal, vol. ix. p. 462.

Before exchanging the ratification of the treaties at Utrecht, a printed letter, in name of James III. was ſent to all the miniſters, containing his proteſtation againſt whatever had been tranſacted to the prejudice of his right. Political State, vol. v. p. 283. By a private agreement with Lewis, queen Anne engaged to pay 750,000 livres of dowry (31,250l.) to the widow of king James; and to remove every difficulty, it was agreed that the latter ſhould ſign ſimply *Marie Reigne*. Duclos, tom. i. p. 152.

N° XXXVI.

☞ Perhaps there never was in the annals of political literature a book more univerſally read, or ſo much the ſubject of converſation, as the *Criſis*, a work believed by the public to be written by Sir Richard Steele. To prove that Sir Richard was not the author of that celebrated performance, the following Letter will not only evince how the world was at that time deceived, but diſcover the real author, and his motives for a temporary concealment of his name and profeſſion.——The Letter is addreſſed to the late Lord MACCLESFIELD, then Lord Chancellor.

MY LORD, June 6, 1716.

I AM partly encouraged by Mr. Solicitor General, but chiefly by your Lordſhip's known candour and humanity, humbly to lay my caſe before you, and to beg your Lordſhip's patronage.

When the memorial of the *Sieur Tugghe*, relative to Dunkirk, was given gratis about the ſtreets, one of them chanced to be put into my hands; it raiſed in me, on the firſt reading, a juſt indignation, when I found how my

my country was intended to be impoſed upon in the only article of a vile peace, that ſeemed to carry any value with it, and thereupon ſent to Mr. Steele immediately, who *then* wrote a paper, called *The Guardian*, and ſhewing him the memorial, I ſate down and wrote *with him* the *Guardian of Dunkirk*. After that, I wrote ſeveral of his papers, called the *Engliſhman*, relating to our conſtitution, which I thought openly invaded by the *then* miniſtry; and when I found the ſucceſſion impudently attacked, not only by pamphlets and papers that came out weekly, but by a book in folio, of *Hereditary Right*, ſtuffed with quotations out of the *Harlean* library, and pompouſly publiſhed in the Gazette; I then thought it an honeſt office to attempt ſomething that might prove an antidote to that intended poiſon.

After ſome thoughts ſpent thereon, I obſerved, that the miſchiefs threatened, proceeded as well from an inattention in the common people to the obligations they lay under, both civil and religious, to the moſt illuſtrious houſe of *Hanover*, as from a forgetfulneſs of the dangers our religion, laws and liberties were expoſed to, in the reign of the late K. James; and thereupon concluded, that to print the laws relating to the *abdication* of that king, and the ſubſequent ſettlements of the crown, with a proper introduction, and a well urged and forcible concluſion in ſo ſmall a volume as to put it in the power of the meaneſt ſubject to be maſter of, would be the moſt effectual method to undeceive the common people.

This gave occaſion to my writing the *Criſis*, which appeared under the name of Mr. *Steele*; and had matters been carried to extremities againſt that gentleman, on account of that book, my fate would certainly have been more ſevere than his, for my profeſſion as a lawyer would have been eſteemed an aggravation of my crime by the *then* miniſtry, and conſequently of my puniſhment.

On his majeſty's acceſſion to the throne, I flattered myſelf with the hopes of having ſome ſmall ray of his royal favour ſhine upon me; and therefore addreſſed myſelf to the late Lord *Halifax*, deſiring his Lordſhip to do me the honour of preſenting me to the King; who, with a generous frankneſs, was pleaſed to ſay, he would firſt provide for me, and then preſent me to his Majeſty: and but two days before the illneſs of which he died, his Lordſhip aſſured me he would, in a week's time, give me what would be pleaſing to me—but his death prevented it.

I then addreſſed Count *Bothmar*, who was pleaſed to do me the honour to recommend me to my Lord Townſhend and Mr. Walpole, who have both aſſured me of their favour; and Mr. Walpole ſeveral months ago told me I ſhould be a Commiſſioner for the forfeited eſtates, and has often been pleaſed

to repeat the ſame thing to me, till lately, when he told me, they would be all members of the Houſe of Commons. I thereupon deſired that I might be named by him for *Regiſter*, and he has been ſo good as to promiſe me his intereſt in it.

If it is not too great preſumption, I would humbly beg your Lordſhip's joint intereſt with that of Mr. Solicitor-General in my favour; a kind word from your Lordſhip to Mr. Walpole, and my Lord Townſhend cannot fail of ſucceſs.

My buſineſs, for ſeveral years, has been wholly conveyancing in my chambers; and though it has in a manner rendered me unfit for the bar, I preſume it will the better qualify me for that ſervice, matters relating to the titles and eſtates ſeeming to be the chief buſineſs of that commiſſion.

If I have no *active* merit in writing the above papers in defence of the Proteſtant ſucceſſion in the moſt illuſtrious houſe of *Hanover*, I aſſure your Lordſhip I have a great deal of *paſſive*: for my being known to have written them, has turned very much to my detriment from the malice of the *Tories*, not only in the buſineſs of my profeſſion, but in my other private affairs; upon which head I have taken ſome freedom with Mr. Sollicitor-General; and I hope your Lordſhip, who appeared with the greateſt fortitude at the head of thoſe who were aſſertors of the ſucceſſion in the moſt illuſtrious houſe of Hanover at a time of danger in the late reign, will think it hard for me, though a ſubaltern in the ſame glorious cauſe, to be a ſufferer on that account in this.

I humbly beg a thouſand pardons for this preſumption; and that I may have the honour to be, my Lord, your Lordſhip's moſt humble, moſt obedient, and moſt devoted ſervant,

W. MOORE.

N. B. *Any perſon doubtful of the authenticity of the above letter, or deſirous of ſeeing the original, may be ſatisfied by applying to the printers of this Magazine.*

The above Letter and the Note were publiſhed in the St. James's Magazine, in March 1774.

N° XXXVII.

LETTER *from the Duke of* MARLBOROUGH *to Lord* BOLINGBROKE.

MY LORD Antwerp Decr 4th 1712.

I AM got ſafe to this place, having avoided going to Bruges & Ghent. When I had the honor of ſeeing you laſt I then told you the diſappointment of Mr Cudagans Company would hinder my going to Italy this ſeaſon. Your Lordſhip in then promiſing me your aſſiſtance in getting him leave makes me thus early to beg that you will give my humble duty to the Queen, and requeſt that I may have this mark of her goodneſs towards me of giving him leave to be with me, which will be a great eaſe to me in my retirement, finding myſelf very much out of order. I have written to Lady Marlboro' to loſe no time in coming to Aix la Chapelle, by which I ſhall have the advantage of one month of the Hot Baths, which are as I am told as good in this ſeaſon as in any time of the year, and from thence I ſhall go into Germany, and in the Spring go to the Lake of Geneva, where I will take the beſt houſe I can get, in order to live as much retired as is poſſible.

It will be a pleaſure if I may ſometimes hear from you, particularly that you are ſo much maſter of your own actions, that I may depend upon being eaſy and quiet at Woodſtock, which I recommend to your friendſhip and care, & at the ſame time aſſure you of my being with much truth and reſpect,

Yours &^c^.

MARLBOROUGH [37].

[37] The duke of Marlborough left England in the end of Nov. 1712, and was ſoon followed by the ducheſs and the reſt of his family. They reſided moſtly at Aix la chapelle, but made ſeveral viſits to his principality at Mindelheim, and ſome principal towns in Germany, where he was received with great honour. Lord Onſlow was ſent over to the duke with the whig aſſociation in July 1714, which, as I have obſerved in the hiſtory, the duke refuſed to ſign. It is probable, however, that the account which he received from him concerning the ſtate of parties, fixed the duke's reſolution of returning to England, where he arrived the day before the queen's death, and the next day made a public entry into London, attended by ſome hundreds of the inhabitants of Southwark, with their member at their head. It has been conjectured, that the duke of Marlborough was invited to return to England by lord Bolingbroke, who, after his rupture with lord Oxford, made his court to the Whigs.

N° XXXVIII.

LETTER *from Mr.* HARLEY *to Sir* ROWLAND GWYNNE [38].

SIR, November 21st 1710.

I HAVE received the honour of your letter, but of ſo long a date, that I fear my Silence will be condemn'd as a fault, which would be my misfortune, being very much obliged to you for the favorable opinion you are pleaſed to entertain of me.

I can aſſure you that the changes the Queen hath made in her miniſtry, are founded upon honeſt and truly Engliſh principles: and you will ſee, that thoſe whom her Majeſty hath thought fit to employ, will ſhew by their actions that they are very jealous in all reſpects to ſupport the Alliance, to purſue the war with a view to obtain a ſure and honourable peace, and effectually to ſecure the ſucceſſion in the moſt ſerene houſe of Hanover.

Theſe are principles that I know you approve, and I will never forfeit the good opinion you have of me, by neglecting to do every thing in my power that may contribute to theſe happy ends. I am with the greateſt reſpect, SIR, &c.

R HARLEY.

LETTER *from Sir* ROWLAND GWYNNE *to* ROBETHON.

SIR Hamburg Decr 10 1710.

I HAVE lately receiv'd a letter from Mr Harley which I ſend you, that you may ſee upon what principles the new Miniſtry declare they will act, and I hope that they will keep up to them. If they doe I think that thoſe who wiſh well to England cannot deſire more, but that they may appeaſe the animoſityes, and unite us to conſider our true intereſt.

I believe that they have got a Houſe of Comons to their minde, but the queſtion is whether they can govern them when they are met, and reſtraine them from unreaſonable demands, yet the Houſe of Lords will be a cheque upon them.

[38] The following letters ſhew, that though the court of Hanover had teſtified its diſapprobation of the efficacious zeal of Sir Rowland, ſee chap. vi. p. 122., he was ſtill underſtood to be in its confidence; and Mr. Harley applied to him as the fitteſt inſtrument to impreſs that court with favorable ſentiments of his adminiſtration.

Mr Harley is certainly one of the chiefe in the preſent Miniſtry, and hath had a very great influence in the late change, but the tree is to be known by its fruit, and we ought to hope the beſt.

You may if you think fit ſhew Mr Harley's letter to his Electoral Highneſs, but I deſire that you will return it to me.

I ſhall take it for a great favour if you will obteine an order, that I may have a couple of wild Swine to make merry with my friends at Chriſtmas.

I am with perfect truth and reſpect SIR

Your moſt obedient and moſt faithful humble Servt

R GWYNNE.

G.R. III.

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